

Another battle with Ogres

COMMENTARY

At a recent meeting at Fridrich and Clark Realty, the subject of houses being sold by their owners was raised. Agent after agent related the nightmares they had encountered in their dealings.

In Realtor speak, the term "For Sale By Owner" is referred to by the acronym FSBO, or "fizbo." These fizboes are the bane of the Realtor's existence. The resale of FSBOs is usually difficult due to the fact that the buyer paid too much for the house when he bought it from the owner.

Generally, the selling of a person's home is an emotional experience. Therefore, objectivity is important in all areas of the transaction. The owner thinks her house is the greatest house in the world. Frank Lloyd Wright is turning over in his grave for having not been involved in the design of this masterpiece.

In many cases, the seller has file upon file upon file detailing every dime he has "invested" in the property. For many fizboes — for sale by ogre, I call them — having the grass cut is an investment that should be recouped.

The ogres might have a scrapbook with a lock of the first fescue to grace the lawn and the tours they provide are often fabulous. Grace-land has nothing on a good ogre-land tour.

In most cases, when a Realtor sells a FSBO, the education process is doubled. Most real estate contracts require that the seller provide a termite letter at closing. This letter must state that the house is clear of wood-destroying insects.

Last month, an ogre brought an invoice from a pest control company to the closing. When told by the Realtor that a termite letter and an invoice are not the same thing, the ogre exploded. FSBOs hate Realtors. Realtors have knowledge, experience and, most important, clients.



Richard Courtney

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It was only after the attorney told the Ogre that a termite letter was required that the Ogre called the pest control company. As it turned out, the Ogre had a contract with the exterminator to spray for spiders and bugs, not a termite contract. Upon a real termite inspection, the property was found to be the proud home to a couple of thousand termites.

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A FSBO had distributed flyers to real estate offices in order to promote sale of his home. I received the materials, called a prospect and called for a showing on a Friday. My client liked the home and decided to make an offer. I told the owner of our intentions, and we sat at his kitchen table in order to prepare an offer.

Although the owner refused to leave the room, we began to work

on the document. We asked the owner when he would like to close and acquiesced to his wishes. We offered full asking price with no concessions. The owner said he would have to call his "partners" and said he would call me later that night. He did not. I begin to inhale traces of the aroma associated with a rodent.

I called the owner Saturday and he replied that he would not pay my client's closing costs. I told him that the contract did not require him to do so. He said he wouldn't pay anything. We agreed to move all contingencies in three days and I accepted the offer on behalf of my client and asked the owner to deliver the contract.

The owner said he would deliver the contract to my office that afternoon. He had planned an open house the following day. Saturday came and went and still no contract. The slight smell of the rodent began to escalate into a full-blown odor. I again called and he agreed to bring it by on Sunday. He brought it by, but he had not signed it. When I called and asked him to sign the contract, he told me he had sold it to someone else the night before. I smelled a gargantuan rat. If he had been a Realtor, he would have been subject to disciplinary action.

The actions of the seller disappointed and disgusted the would-be buyer. I comforted him and told him we would stay away from FSBOs. That seemed to soothe him. He will buy a house. By the way, this FSBO is currently in his sixth day of violating Metro's sign ordinance. CP

Richard Courtney is a real estate broker with Fridrich and Clark Realty. He has slain an Ogre or two in his day, and enjoys the sport. He's been slimed on many occasions, but feels he must protect the universe from these creatures. He can be reached at his real estate office at RichardCourtney@REALTOR.com.