

Index

ACCEPTANCE

Offer and Acceptance, this index

ACREAGE

Clearing title, deficiency of acreage,
§ 12:17

Enforcement of contracts, deficiency
of acreage, § 17:19

Price per acre, § 7:4, 18:22, 18:23

ADMINISTRATORS

Parties, § 3:8

AGENTS

Parties, § 3:13

AGRICULTURAL LAND

Disclosures, § 2:13

ALLEYS

Clearing title, joint alleys, § 12:16

APARTMENTS

Special provisions in sale of apart-
ment, § 18:71

APPLIANCES

Condition, § 11:19

APPRAISALS

Contingency, § 11:34, 18:74

ARBITRATION

Generally, § 11:25

Form, § 18:69

ASSIGNMENT OF CONTRACT BY BUYER

Generally, § 3:14, 11:32, 18:18

ASSUMPTION OF LOAN

Price and Terms of Payment, this
index

ATTORNEYS

Earnest money, payment of, § 18:50

Execution of contract by attorney in
fact, § 18:16

ATTORNEYS—Cont'd

Fees, closings, § 9:10

Real estate brokers and legal practice,
distinguished, § 10:7

Release of execution, attorney's affi-
davit to support, § 18:88

BANKRUPTCY

Rescission of contract, § 17:6

BLANK SPACES

Construction of contracts, § 13:5

BONA FIDE PURCHASERS

Generally, § 11:33

BONDS

Title, § 2:25

BROKERS

Real Estate Brokers, this index

CAPACITY

Parties, § 3:7

CASH

Price or Terms of Payment, this index

CERTAINTY AND DEFINITENESS

Generally, § 2:7

Price and Terms of Payment, this
index

CHECKLISTS

Generally, § 15:1-15:5

Broker's checklist, § 15:4, 15:5

Condominiums, § 1:7

Purchaser's checklist, § 15:2, 15:5

Seller's checklist, § 15:3, 15:5

CHILDREN

Parties, § 3:7

CIVIL RIGHTS

Real estate brokers, § 10:28

CLEARING TITLE

Generally, § 12:1-12:18

GEORGIA REAL ESTATE SALES CONTRACTS

CLEARING TITLE—Cont'd

- Acreage, deficiency of, § 12:17
- Affidavits of possession, § 12:5
- Alleys, joint, § 12:16
- Breaks in title, § 12:4
- Construction liens, § 12:13
- Driveways, joint, § 12:16
- Easements, § 12:6, 12:9
- Encroachments, § 12:10
- Expense of clearing title, § 12:2
- Joint driveways and alleys, § 12:16
- Judgments, § 12:14
- Mortgages, § 12:11
- Party walls, § 12:8
- Rights in land, § 12:6
- Security deeds, § 12:11
- Settlement agreements, § 12:18
- Surveys, § 12:3
- Tax searches, § 12:7
- Tax titles, § 12:12
- Utility easements, § 12:9
- Zoning problems, § 12:15

CLOSINGS

- Generally, § 16:1-16:20
- Advance preparation, § 16:2
- Attorneys' fees, § 9:10
- Broker's commission, § 9:11
- Closing statements, § 16:8
- Costs
 - Generally, § 9:7-9:12
 - Attorneys' fees, § 9:10
 - Broker's commission, § 9:11
 - Intangibles tax, § 9:9
 - Nonresidents, withholding tax on sale of property by, § 9:12
 - Tabulation, § 9:8
- Deeds, preparation of, § 16:5
- Ethics, § 16:18
- Fiduciary, sale to himself or herself, § 16:13
- Filing fees, § 16:9
- Fixtures, § 16:15
- Fraud, Georgia Residential Mortgage Fraud Act, § 16:19
- Georgia Residential Mortgage Fraud Act, § 16:19
- Home equity loans, § 16:7

CLOSINGS—Cont'd

- Husband and wife transactions, § 16:14
- Intangibles tax, § 9:9
- Nonresidents, withholding tax on sale of property by, § 9:12
- Personal property, § 16:15
- Powers of attorney, § 16:11
- Preexecuted deeds, use of, § 16:12
- Prorations, § 16:8
- Security deeds, § 16:5, 16:6
- Signing of documents, § 16:9
- Tabulation of costs, § 9:8
- Time of closing, § 11:5
- Transfer of possession, § 16:10
- Uniform Real Property Electronic Recording Act, § 16:20
- Winding up of closing, § 16:16

COMMISSIONS

- Real Estate Brokers, this index

CONDEMNATION

- Generally, § 11:16, 18:58

CONDITIONAL ACCEPTANCE

- Generally, § 4:4

CONDITIONS PRECEDENT AND SUBSEQUENT

- Generally, § 11:2

CONDOMINIUMS

- Generally, § 1:6
- Checklist, § 1:7

CONSIDERATION

- Generally, § 2:4
- Options, § 14:3

CONSTRUCTION LIENS

- Clearing title, § 12:13

CONSTRUCTION OF CONTRACTS

- Generally, § 13:1-13:9
- Blank spaces, § 13:5
- Implied terms, § 13:2
- Independent or dependent covenants, § 13:3
- “Kited” contracts, § 13:6

INDEX

CONSTRUCTION OF

CONTRACTS—Cont'd

Modification of contracts, § 13:7,
13:8

Obligations of other party, effect of
breach on, § 13:4

Price padding, § 13:6

Riders, § 13:9

Unauthorized modifications, § 13:8

CONSTRUCTION OF HOUSE BY SELLER

Generally, § 11:29

CORPORATIONS

Parties, this index

Real estate brokers, licenses, § 10:2

COSTS AND EXPENSES

Clearing title, § 12:2

Closings, this index

COUNSEL

Attorneys, this index

COUNTEROFFERS

Generally, § 4:4

DAMAGES

Enforcement of contracts, § 17:13,
17:21

Real estate brokers, § 10:27

DATE

Time and Date, this index

DECEIT

Fraud and Deceit, this index

DEEDS

Closings, preparation of deeds,
§ 16:5

Conforming deed to contract, require-
ment, § 5:12

Georgia deed forms in use, § 8:2

Type of deed, § 8:13, 8:14

DEFINITENESS

Certainty and Definiteness, this index

DEFINITIONS

Generally, § 2:2

DELIVERY OF CONTRACT

Parties, § 3:17

DEPENDENT OR INDEPENDENT COVENANTS

Construction of contracts, § 13:3

DESCRIPTION OR IDENTIFICATION

Generally, § 5:1-5:14

“As shown by survey to be made,”
§ 5:9

Buildings as including land, § 5:4

Deed must conform to contract,
§ 5:12

Drafting descriptions, § 5:14

Emergency descriptions, § 5:13

Forms

Assumed loan, description of,
§ 18:29

Personal property and fixtures,
§ 18:20

Identification of land, § 5:3

“Legal description to be attached,”
§ 5:9

“More of less,” § 5:10

Parts of larger tracts, § 5:11

Plats, reference to, § 5:6

Presumptions, § 5:5

Price or Terms of Payment, this index

Street number, § 5:7, 5:8

Sufficiency, § 5:2

Vacant lots, § 5:11

DISCRIMINATION

Real estate brokers, § 10:28

DOWN PAYMENT

Price and terms of payment, § 7:10

DRAGNET CLAUSE

Seller to obtain release, § 18:34

DRIVEWAYS

Clearing title, joint alleys, § 12:16

EARNEST MONEY

Enforcement of contracts, forfeiture
of earnest money, § 17:9

Forms

Generally, § 18:48-18:50

GEORGIA REAL ESTATE SALES CONTRACTS

EARNEST MONEY—Cont'd

Forms—Cont'd

Limitation of liability of seller,
§ 18:77

Price and terms of payment, § 7:10,
11:7

Real estate brokers, protection for,
§ 18:49

EASEMENTS

Clearing title, § 12:6, 12:9

Conservation easement, deed of,
§ 18:87

ELECTION OF REMEDIES

Real estate brokers, § 10:24

EMERGENCY DESCRIPTIONS OF PROPERTY

Generally, § 5:13

EMINENT DOMAIN

Generally, § 11:16, 18:58

ENCROACHMENTS

Clearing title, § 12:10

ENFORCEMENT OF CONTRACTS

Generally, § 17:1-17:22

Acreage, deficiency of, § 17:19

Action for purchase price, § 17:11

Bankruptcy, rescission of contract,
§ 17:6

Damages, § 17:13, 17:21

Earnest money, forfeiture of, § 17:9

Entire or severable contracts, § 17:3

Equitable lien of rescinding
purchaser, § 17:5

Fraud of seller, § 17:22

Liens

Equitable lien of rescinding
purchaser, § 17:5

Purchase price, § 17:12

Mutual rescission, § 17:4

Price, right of seller to claim inade-
quacy of, § 17:10

Rescission of contract

Generally, § 17:4-17:8, 17:16

Bankruptcy, § 17:6

Equitable lien of rescinding
purchaser, § 17:5

ENFORCEMENT OF CONTRACTS —Cont'd

Rescission of contract—Cont'd

Mutual rescission, § 17:4

Severable or entire contracts, § 17:3

Specific performance, § 17:14, 17:20

Title, failure of, § 17:17, 17:18

Valuation of property, § 17:2

ENTIRE OR SEVERABLE CONTRACTS

Enforcement of contracts, § 17:3

EQUIPMENT

Condition, § 11:19

EQUITABLE CONVERSION

Generally, § 11:27

EQUITABLE LIENS

Rescinding purchasers, § 17:5

ESCROW

Closing in escrow, § 11:23

ESSENTIALS OF CONTRACT

Generally, § 2:1

ETHICS

Closings, § 16:18

EXCHANGES OF REAL ESTATE

Price and terms of payment, § 7:38,
7:39

EXCLUSIVE SELLER LISTING AGREEMENT

Real estate brokers, § 18:2

EXECUTORS

Parties, § 3:8

EXPENSES

Costs and Expenses, this index

FACSIMILE TRANSMISSION

Notice provisions, § 18:55

FARM LAND

Disclosures, § 2:13

FHA

Contingent on appraisal, § 18:74

INDEX

FIDUCIARIES

Closings, sale by fiduciary to himself or herself, § 16:13

FILING FEES

Closings, § 16:9

FIXTURES

Generally, § 6:1

Closings, § 16:15

Description, § 18:20

Right to remove, § 18:21

FORM OF CONTRACT

Generally, § 2:5

FORMS

Generally, § 1:11, 18:1-18:88

Acre, price per, § 18:22, 18:23

Allocation of purchase price, § 18:24

Apartments, special provisions in sale of, § 18:71

Appraisal, contingent on, § 18:74

Arbitration, § 18:69

Assignment of contract by purchaser, § 18:18

Assumed loan, description of, § 18:29

Assumption clause in sales contract, § 18:30

Assumption of transferor's obligations, § 18:19

Attorney, payment of earnest money to, § 18:50

Attorney in fact, execution of contract by, § 18:16

Attorney's affidavit to support release of execution, § 18:88

Broker's lien paragraph for owner's affidavit, § 18:81

Commission clause, § 18:80

Condemnation, § 18:58

Conservation easement, deed of, § 18:87

Customer acknowledgment, § 18:5

Deed of conservation easement, § 18:87

Description of assumed loan, § 18:29

Description of personal property and fixtures, § 18:20

FORMS—Cont'd

Discharge of encumbrances out of purchase money, § 18:78

Disclosure statement of seller, § 18:11

Dragnet clause, seller to obtain release from, § 18:34

Earnest Money, this index

Eminent domain, § 18:58

Encumbrances, discharge out of purchase money, § 18:78

Entire contract, multiple parcels, § 18:79

Equity of seller, purchase of, § 18:32

Escrow closing, § 18:68

Exchange contract, § 18:13

Existing loan, subject to, § 18:31

Facsimile transmission, notice provisions providing for, § 18:55

FHA, contingent on appraisal, § 18:74

Fixtures, description, § 18:20

Fixtures, right to remove, § 18:21

How to use the forms, § 1:11

HUD-1, settlement statement, § 18:83

Improvements, affidavit of completion of, § 18:66

Inspection, right of, § 18:67

Insurable title, § 18:36

Investment property, right of inspection, § 18:67

Lease or sale of buyer's property as contingency, § 18:12

Leases and tenancies, § 18:70

Loan on property being purchased, sale as subject to obtaining of, § 18:25

Lot/land purchase and sale agreement, § 18:9

Municipal laws and ordinances, violations of, § 18:57

New construction exhibit, § 18:8

New construction purchase and sale agreement, § 18:7

Nonresident seller's affidavit, withholding tax, § 18:86

Notice provisions providing for facsimile transmission, § 18:55

GEORGIA REAL ESTATE SALES CONTRACTS

FORMS—Cont'd

Occupancy before closing, § 18:76
Options, § 14:2, 18:72, 18:73
Personal property, description,
§ 18:20
Place of closing, § 18:51
Possession, § 18:47
Powers of Attorney, this index
Principal reductions made on existing
loans between contract and closing
dates, § 18:33
Printed forms, § 2:10
Prorations, this index
Provisions to remain in force after
closing of sale, § 18:59
Public road, access to, § 18:56
Purchase and sale agreement, § 18:6-
18:9
Purchase money note to seller,
§ 18:26
Quality of title, § 18:35, 18:36
Quitclaim deed on non-exercise of
option, § 18:73
Real Estate Brokers, this index
Release of execution, attorney's affidavit
to support, § 18:88
Rental commission contract and
management fee, § 18:45
Risk of loss, § 18:52
Sale of present property, contingent
on sale of, § 18:54
Sale or lease of buyer's property as
contingency, § 18:12
Settlement statement, § 18:82, 18:83
Special stipulations exhibit, § 18:10
Tenancies and leases, § 18:70
Time of closing, § 18:51
Transfer tax declaration, § 18:84
Types of conveyances, § 18:35,
18:36
VA loans, representation of status of
veteran, § 18:75
Warranties, sales contract with,
§ 18:14
Warranties, this index
Withholding tax, § 18:85, 18:86
Zoning, conditioned on rezoning of
property, § 18:53

FRAUD AND DECEIT

Closings, Georgia Residential
Mortgage Fraud Act, § 16:19
Enforcement of contracts, § 17:22

FRAUDS, STATUTE OF

Generally, § 2:16-2:18
Public sales, § 2:18

GEORGIA LAND SALES ACT

Generally, § 2:15

GEORGIA RESIDENTIAL MORTGAGE FRAUD ACT

Closings, § 16:19

GOVERNING LAW

Generally, § 1:3

HIGHWAYS

Access, § 11:13, 18:56

HOME EQUITY LOANS

Closings, § 16:7

HUD-1

Settlement statement, § 18:83

HUSBAND AND WIFE

Closings, § 16:14
Parties, § 3:4

IDENTIFICATION

Description or Identification, this
index

IMPLIED TERMS

Generally, § 2:22
Construction of contracts, § 13:2

IMPORTANCE OF CONTRACT

Generally, § 1:1

IMPROVEMENTS

Completion, affidavit of, § 18:66
Condition, § 11:18

INDEPENDENT OR DEPENDENT COVENANTS

Construction of contracts, § 13:3

INSANITY

Parties, § 3:7

INDEX

INSPECTIONS

- Generally, § 2:12
- Right and duty of buyer, § 11:21, 18:67

INSTALLMENT SALES

- Comparison, § 2:23
- Rights, § 2:24

INSURABLE TITLE

- Generally, § 8:9, 18:36

INSURANCE

- Price and terms of payment, § 7:34
- Prorations, § 9:5

INTANGIBLES TAX

- Closings, § 9:9

INTERFERENCE WITH RIGHTS

- Real estate brokers, § 10:18

INVESTIGATIONS

- Preliminary investigations, § 2:11

JUDGMENTS

- Clearing title, § 12:14

“KITED” CONTRACTS

- Generally, § 13:6

LAWYERS

- Attorneys, this index

LAYMEN

- Preparation of contracts, § 1:4

LEAD PAINT

- Generally, § 11:22

LEASES AND TENANCIES

- Generally, § 18:70
- Contingency, lease or sale of buyer's property as, § 18:12

LEGALITY OR ILLEGALITY

- Generally, § 2:9

LICENSES

- Real estate brokers, § 10:1, 10:2

LIENS

- Clearing title, construction liens, § 12:13
- Enforcement of Contracts, this index

LIMITATION OF LIABILITY

- Generally, § 3:18, 11:10

LIMITED LIABILITY COMPANIES

- Parties, § 3:9
- Real estate brokers, licenses, § 10:2

LITIGATION

- Real estate brokers, § 10:26

LOCATION

- Place or Location, this index

LOYALTY

- Real estate brokers, § 10:11

MANUFACTURED HOMES

- Generally, § 1:10

MARKETABLE TITLE

- Generally, § 8:5-8:9

MERGER

- Generally, § 2:21, 11:17

MINORS

- Parties, § 3:7

MISREPRESENTATION

- Fraud and Deceit, this index

MISTAKES

- Generally, § 2:8

MODIFICATION OF CONTRACTS

- Generally, § 13:7, 13:8

MORTGAGES

- Clearing title, § 12:11

MUNICIPAL ORDINANCES

- Generally, § 11:15

MUTUALITY

- Generally, § 2:6

“NET” PRICE

- Generally, § 7:2

NOMINEES

- Parties, § 3:3

NONRESIDENTS

- Closings, withholding tax on sale of property by nonresident, § 9:12

GEORGIA REAL ESTATE SALES CONTRACTS

NONRESIDENTS—Cont'd

Parties, § 3:5

NOTICES

Generally, § 11:12

Facsimile transmission, § 18:55

OFFER AND ACCEPTANCE

Generally, § 4:1-4:5

Conditional acceptance, § 4:4

Counteroffers, § 4:4

Multiple copies, § 4:5

OPEN LISTING AGREEMENT

Real estate brokers, § 18:3

OPTIONS

Generally, § 14:1-14:8

Consideration, § 14:3

Effect of exercise, § 14:5

Forms, § 14:2, 18:72, 18:73

Manner of exercise, § 14:5

Nature, § 14:2

Operation and effect, § 14:7

Recording, § 14:8

Time of exercise, § 14:4

Transfer, § 14:6

PAPERWORK

Generally, § 1:2

PAROL EVIDENCE

Generally, § 2:19, 2:20

PARTIES

Generally, § 3:1-3:18

Administrators, § 3:8

Agent, execution of contract by,
§ 3:13

Assignment of contract by buyer,
§ 3:14

Capacity, § 3:7

Corporations

Generally, § 3:9

Deeds, § 3:11

Resolutions, § 3:12

Delivery of contract, § 3:17

Designation, § 3:3

Executors, § 3:8

Husband and wife, § 3:4

Insanity, § 3:7

PARTIES—Cont'd

Legal entities, § 3:2

Limitation of personal liability,
§ 3:18

Limited liability companies, § 3:9

Minors, § 3:7

Nominees, § 3:3

Nonresidents, § 3:5

Owner, seller as, § 3:6

Partnerships, § 3:9

Signatures, § 3:16

Transfer of title by seller, § 3:15

Vendor-builders, § 3:10

PARTNERSHIPS

Parties, § 3:9

Real estate brokers, licenses, § 10:2

PARTY WALLS

Clearing title, § 12:8

PERSONAL PROPERTY

Generally, § 6:2

Closings, § 16:15

Description, § 18:20

Specific performance, § 6:3

PLACE OR LOCATION

Closing, § 11:5, 18:51

Contract, § 2:14

PLATS

Description of property, § 5:6

POSSESSION

Generally, § 11:1

Right of possession, § 11:28

POWERS OF ATTORNEY

Closings, § 16:11

Forms

Execution of sales contract,
§ 18:15

General power, § 18:17

PRELIMINARY INVESTIGATIONS

Generally, § 2:11

PRESUMPTIONS

Description of property, § 5:5

INDEX

PRICE AND TERMS OF PAYMENT

Generally, § 7:1-7:40
Acre, price per, § 7:4, 18:22, 18:23
Assumption or taking subject to
existing loan
Generally, § 7:29-7:37
Difference between assumption
and taking subject to loan,
§ 7:36
Equity of seller, purchase of,
§ 7:32
Fee for transfer of loan, § 7:35
Forms
Description of assumed loan,
§ 18:29
Sales contract, assumption
clause in, § 18:30
Transferor's obligations,
assumption of, § 18:19
Identification of assumed loan,
§ 7:30, 7:31
Objectionable loan deed clauses to
avoid, § 7:37
Partial performance of contract too
indefinite to identify loan,
§ 7:33
Taxes and insurance, reserve for,
§ 7:34
Calculation of price, § 7:3
Cash, generally, § 7:9
Cash between parties subject to third
party loan
Generally, § 7:13-7:20
Contract must obligate purchaser,
§ 7:17
Description of proposed loan,
§ 7:14-7:16
Fulfillment of condition, § 7:20
Miscellaneous clauses, § 7:19
Waiver of condition, § 7:18
Cash between parties with existing
loan to be paid out of purchase
money, § 7:11
Cash between parties with loan from
third party, § 7:12
Definiteness
Price, § 7:1
Terms of payment, § 7:8

PRICE AND TERMS OF PAYMENT—Cont'd

Description or identification
Assumed loan, § 7:30, 7:31
Cash between parties subject to
third party loan, § 7:14-7:16
Purchase money note from
purchaser to seller, § 7:23
Down payment, § 7:10
Earnest money, § 7:10, 11:7
Enforcement of contracts, right of
seller to claim inadequacy of
price, § 17:10
Equity of seller, assumption or taking
subject to existing loan, § 7:32
Exchanges of real estate, § 7:38, 7:39
Fee for transfer of loan, assumption
or taking subject to existing
loan, § 7:35
Forms
Acre, price per, § 18:22, 18:23
Allocation of purchase price,
§ 18:24
Assumption or taking subject to
existing loan, above
Purchase money note from
purchaser to seller, below
Identification. Description or
identification, above
Insurance, reserve for, § 7:34
Medium of payment, § 7:5
Methods of payment, § 7:6 et seq.
“Net” price, § 7:2
Padding of price, § 13:6
Partial performance of contract too
indefinite to identify loan,
assumption or taking subject to
existing loan, § 7:33
Purchase money note from purchaser
to seller
Generally, § 7:21-7:28
Description, § 7:23
Forms
Release clauses, § 18:28
Subordination, § 18:27
Legality of interest, § 7:24
Miscellaneous provisions, § 7:28
Release clauses, § 7:26

GEORGIA REAL ESTATE SALES CONTRACTS

PRICE AND TERMS OF PAYMENT—Cont'd

- Purchase money note from purchaser to seller—Cont'd
- Second and other inferior mortgages, § 7:25
- Subordination clauses, § 7:27
- Release clauses, purchase money note from purchaser to seller, § 7:26
- Second and other inferior mortgages, purchase money note from purchaser to seller, § 7:25
- Separate pricing of land and improvements, § 7:40
- Squeeze play, § 7:6, 7:7
- Subordination clauses, purchase money note from purchaser to seller, § 7:27
- Taxes, reserve for, § 7:34
- Waiver of condition, cash between parties subject to third party loan, § 7:18

PROCURING CAUSE

- Real estate brokers, § 10:12

PROPERTY TAXES

- Prorations, § 9:2

PRORATIONS

- Generally, § 9:1-9:12
- Closings, § 16:8
- Forms
 - Generally, § 18:37
 - Cash payment, effect on, § 18:38
 - Insurance, § 18:42
 - Operating expenses of small apartment, § 18:44
 - Pay as you enter assessments, § 18:40
 - Rent proration, § 18:41
 - Tax prorations, § 18:39
 - Water bills, § 18:43
- Insurance, § 9:5, 18:42
- Operating expenses of small apartment, § 18:44
- Pay as you enter assessments, § 18:40
- Property taxes, § 9:2

PRORATIONS—Cont'd

- Rents, § 9:4, 18:41
- Special assessments, § 9:3
- Taxes, § 9:2, 18:39
- Utility bills, § 9:6
- Water bills, § 9:6, 18:43

PROTECTION PLANS

- Generally, § 11:20

PURCHASE MONEY NOTES

- Price or Terms of Payment, this index

QUALITY OF TITLE

- Generally, § 8:1-8:12, 18:35, 18:36
- Affidavit of title, § 8:12
- Contract provisions for marketable title, § 8:6
- Free and clear of all encumbrances, § 8:7
- Insurable title, § 8:9, 18:36
- Marketable title, § 8:5-8:9
- State bar title standards, § 8:10
- Subject clauses, § 8:11
- Vendors without good title, § 8:4

QUANTUM MERUIT

- Real estate brokers, § 10:23

QUITCLAIM DEED

- Option, non-exercise of, § 18:73

REAL ESTATE BROKERS

- Generally, § 10:1-10:28
- Amount of commission, § 10:16
- Authority of broker to bind principal, § 10:25
- Authorization to show unlisted property, § 18:4
- Brokerage Relationships in Real Estate Transactions Act, § 10:8
- Buyer, liability for commission, § 10:14
- Buyer-seller liability as affecting commission rights, § 10:22
- Checklists, § 15:4, 15:5
- Civil rights violations, § 10:28
- Closings, broker's commission, § 9:11
- Commissions, generally, § 10:10 et seq.

INDEX

REAL ESTATE BROKERS—Cont'd

- Contract of employment, § 10:9
- Corporations, licenses, § 10:2
- Damages, liability for, § 10:27
- Earnest money, protection for broker, § 18:49
- Election of remedies by broker, § 10:24
- Enforcement rights of broker, § 10:17
- Exclusive seller listing agreement, § 18:2
- Forms
 - Authorization to show unlisted property, § 18:4
 - Broker's lien paragraph for owner's affidavit, § 18:81
 - Commission clause, § 18:80
 - Earnest money, protection for broker, § 18:49
 - Exclusive seller listing agreement, § 18:2
 - Open listing agreement, § 18:3
 - Services, alternative representations concerning, § 18:46
- Interference with brokerage rights, § 10:18
- Legal practice, distinguished, § 10:7
- Licenses, § 10:1, 10:2
- Limited liability companies, licenses, § 10:2
- Litigation, § 10:26
- Loyalty, § 10:11
- Nonresident brokers, § 10:3
- Open listing agreement, § 18:3
- Partnerships, licenses, § 10:2
- Performance required of broker, § 10:19
- Prior listing agreement, effect of binding sales contract on, § 10:13
- Procuring cause, § 10:12
- Quantum meruit, § 10:23
- Right to commission, § 10:21
- Risks of employing brokers, § 10:6
- Sales contract, commission as dependent on, § 10:15
- Termination of employment, § 10:20

RECORDING

- Contracts, § 11:24
- Options, § 14:8
- Uniform Real Property Electronic Recording Act, § 16:20

RELEASE CLAUSES

- Purchase money note from purchaser to seller, § 7:26

RENTS

- Prorations, § 9:4

RESCISSION

- Enforcement of Contracts, this index

RESIDENTIAL LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992

- Generally, § 11:22

RIDERS

- Generally, § 13:9

RISK OF LOSS

- Generally, § 11:8, 11:30, 18:52

SANITY

- Parties, § 3:7

SATISFACTION OF PARTY

- Performance of contract, § 11:9

SECOND AND OTHER INFERIOR MORTGAGES

- Purchase money note from purchaser to seller, § 7:25

SECURITY DEEDS

- Clearing title, § 12:11
- Closings, § 16:5, 16:6

SELF-DEALING

- Closings, sale by fiduciary to himself or herself, § 16:13

SETTLEMENT AGREEMENTS

- Clearing title, § 12:18

SETTLEMENT STATEMENTS

- Generally, § 18:82, 18:83

SEVERABLE OR ENTIRE CONTRACTS

- Enforcement of contracts, § 17:3

GEORGIA REAL ESTATE SALES CONTRACTS

SIGNATURES

- Closings, signing of documents,
§ 16:9
- Parties, § 3:16

SPECIAL ASSESSMENTS

- Prorations, § 9:3

SPECIFIC PERFORMANCE

- Enforcement of contracts, § 17:14,
17:20
- Personal property, § 6:3

SPOUSES

- Husband and Wife, this index

SQUEEZE PLAY

- Price and terms of payment, § 7:6,
7:7

STATE REGULATIONS

- Generally, § 11:15

STATUTE OF FRAUDS

- Frauds, Statute of, this index

STREET NUMBERS

- Description of property, § 5:7, 5:8

STREETS

- Access, § 11:13, 18:56

SUBJECT CLAUSES

- Quality of title, § 8:11

SUBORDINATION CLAUSES

- Purchase money note from purchaser
to seller, § 7:27

SURVEYS

- Clearing title, § 12:3

TAXATION

- Clearing title, § 12:7, 12:12
- Price and terms of payment, § 7:34
- Transfer tax declaration, § 18:84
- Withholding tax, § 18:85, 18:86

TENANCIES

- Leases and Tenancies, this index

TERMINATION OF EMPLOYMENT

- Real estate brokers, § 10:20

TERMITES

- Generally, § 11:14

TERMS OF PAYMENT

- Price and Terms of Payment, this
index

THIRD PARTIES

- Transfer by seller to third party,
§ 11:31

TIME AND DATE

- Generally, § 11:3-11:6
- Closing, § 11:5, 18:51
- Contract, date of, § 2:14
- Interval between contract and clos-
ing, § 11:26
- Options, time of exercise, § 14:4
- “Time is of the essence” rule, § 11:4
- Title defects, curing of, § 11:6

TIME-SHARES

- Generally, § 1:8

TITLE

- Bond, § 2:25
- Clearing Title, this index
- Enforcement of contracts, failure of
title, § 17:17, 17:18
- Quality of Title, this index

TRANSFER TAX

- Declaration, § 18:84

UNCONSCIONABILITY

- Generally, § 1:9

UNIFORM REAL PROPERTY ELECTRONIC RECORDING ACT

- Closings, § 16:20

UTILITY BILLS

- Prorations, § 9:6

UTILITY EASEMENTS

- Clearing title, § 12:9

VA LOANS

- Representation of status of veteran,
§ 18:75

VACANT LOTS

- Description of property, § 5:11

INDEX

VALUATION OF PROPERTY

Enforcement of contracts, § 17:2

VENDOR-BUILDERS

Parties, § 3:10

WAIVER

Cash between parties subject to third party loan, § 7:18

WARRANTIES

Generally, § 11:35

Forms

Air conditioning, § 18:64

Condition of systems and roof,
§ 18:61

Property lines, improvements are
within, § 18:65

Septic tank, § 18:63

Utilities, availability of, § 18:62

WARRANTIES—Cont'd

Forms—Cont'd

Workmanship and materials,
defects in, § 18:60

WATER BILLS

Prorations, § 9:6

WIFE AND HUSBAND

Husband and Wife, this index

WINDING UP

Closings, § 16:16

WITHHOLDING TAX

Generally, § 18:85, 18:86

WRITTEN CONTRACTS

Generally, § 2:3

ZONING

Clearing title, § 12:15

Conditioned on rezoning of property,
§ 18:53

