

The Three Types of Listing Agreements: Open Listing, Exclusive Agent Listing, and the Exclusive Right To Sell Listing.

A Listing Agreement or listing contract is the agreement by which a Seller's Agent is employed by the owner of a horse to sell or lease an animal that the seller legally owns. The agent agrees to look for a buyer and the seller agrees to pay a commission when that buyer is found.

There are three basic types of listing agreements. The Open Listing, The Exclusive Agency and the Exclusive Right To Sell.

1. An Open Listing can be given to one or more agents at the same time. Any one of these agents can sell or lease the horse and earn the commission. If the owner of the horse sells the animal he does not pay anyone a commission. A termination date is not required and the agent is not obligated to search for a buyer under this contract. If the horse is sold, it will terminate the listing with other agents.

2. An Exclusive Agency Listing gives one agent the listing for a specific period of time. The owner of the horse cannot hire another agent but does retain the right to sell the property him/her self without paying commission to the agent.

3. An Exclusive Right to Sell Listing gives one agent the sole and exclusive right to sell or lease the horse. The contract is for a specific length of time. If the owner sells the animal he/she are obligated to pay a commission to the agent.

Personally, I like the open listing and the exclusive agency listing since it gives the owner a right to sell his own horse while still affording a market exposure. You never know, you as the owner may get lucky. As far as listing agreements go, I think it's a disservice to the seller to insist on an exclusive right to sell listing.

However, if the Seller's agent is not confident and wants to play it safe, they will insist on the Exclusive Right To Sell listing so expenses can be recovered. He/she may feel psychologically compelled to go this route before putting out their best effort.