

Differences between “With Brokerage Contract” and “Without Brokerage Contract”

Aspect	With Brokerage Contract	Without Brokerage Contract
Status of Broker	The broker officially represents the client (seller or buyer).	The broker does not represent the client: acts as a neutral intermediary.
Customer Protection	Protected by the Real Estate Brokerage Act and the rules of the OACIQ.	The Customer has no complete legal protection related to representation.
Services Offered	Market analysis, personalized advice, negotiation, drafting, and complete file follow-up.	Limited service: the broker cannot advise or defend the client's interests.
Responsibilities of Broker	Must defend the client's interests, inform, advise, and ensure confidentiality.	Must only provide fair treatment to all parties.
Compensation (Commission)	Clearly defined in the contract (amount, method of payment, sharing, etc.).	Not guaranteed: no obligation for compensation without a written agreement.
Duration and Exclusivity	Fixed period, with option for exclusivity or non-exclusivity.	No duration: the broker can terminate collaboration at any time.
Access to Opportunities	The broker can actively search for properties, even off-market ones.	The broker cannot conduct personalized searches or negotiations.
Credibility and Commitment	Clear commitment from both parties; seriousness and transparency.	Informal relationship; no guarantee of the broker's involvement.
Responsibility in Case of Dispute	Governed by the contract and the OACIQ (possible remedies).	No solid legal basis in case of disagreement or problem.
Obligation of Result	Measurable and traceable professional commitment.	No obligation or contractual follow-up.