

Lawyers Who Kill Real Estate Deals!



By Brian Madigan LL.B.

Just as there are bad realtors, there are also bad lawyers who do kill deals

Here, I'm really talking about the naïve, inexperienced lawyer armed with a voluminous list of protective clauses for their own client who fails to understand and appreciate the client's bargaining position. These lawyers can, in fact, kill deals! And, it has nothing to do with their expertise and everything to do with their naivete. Unfortunately, **negotiating is not taught** in Law School, nor is it taught to realtors either.

Bob Aaron, a lawyer and columnist for the Toronto Star raises this topic for discussion in one of his weekly columns. Unfortunately, Bob uses examples of good lawyers taking cautious steps to protect their clients, checking surveys or status certificates etc. However, there is no problem with that!

Here's the problem with some lawyers from a realtor's perspective:

- 1) they are too slow,
- 2) they do not prioritize the file,
- 3) they exude a superiority complex,
- 4) some are condescending in their remarks about the realtor,
- 5) some are incompetent
- 6) they do not appreciate the nature of the negotiations,
- 7) they are unaware of their client's bargaining position.

These would be the lawyers that realtors complain about. Realtors are constantly in search of lawyers who will treat them with respect, provide service at a reasonable cost, within a reasonable time.

A good, conscientious lawyer who works diligently to protecting the client while at the same time understanding the art of negotiating is hard to find.

Real estate agents and lawyers at times have difficulty co-existing. You might find that somewhat odd, because they are apparently both serving the same client.

One matter which is of considerable importance is the lawyer/realtor relationship. If that is working well, then there can be nothing but beneficial results for the client, and if it is not working well.....

*Brian Madigan LL.B., Realtor is an author and commentator on real estate matters, Royal LePage Innovators Realty
905-796-8888
www.OntarioRealEstateSource.com*