

## **Buyer's Agent Ethical Commitment**

*All NAAA Qualified Buyer's Agents are bound by the following ethics rules. Failure to adhere to these rules will initiate an evaluation by the Peer Review Committee and could result in expulsion from the NAAA.*

**Rule #1. All NAAA Qualified Buyer's Agents will perform ethically when accepting an assignment from a potential client.** A member may not accept any job that he or she is not qualified to complete. It is up to each member to determine his or her fitness for the job. It is acceptable for the appraiser to contact another member who is qualified to do that particular job and assign it to that person. However, the Buyer's Agent who is qualified to complete the job will have control over every aspect of it, though the unqualified member may take part in it and assist the qualified appraiser through mutual agreement. When the member originally contacted to provide the service contracts with another member to do the work the client must be informed of the subcontract.

**Rule #2. The Buyer's Agent's Fee Structure will be discussed and put in written form before any aircraft search begins.** NAAA recognizes that some members may choose to charge a commission on the purchase price of the aircraft, though this practice is discouraged. Any member who charges a commission for service rather than a flat fee for service may not write any type of written appraisal, certified aircraft appraisal, or market analysis on any aircraft he or she considers for purchase for the client.

**Rule #3. An NAAA Buyer's Agent may not write a certified aircraft appraisal or provide any document purported to be an appraisal on an aircraft that he has not personally inspected and documented.** He or she may, however, provide a market analysis to the client as a temporary document pending the inspection and documentation of the aircraft, or for the purpose of determining which aircraft are more suitable than others to inspect and document.

**Rule #4. An NAAA Buyer's Agent is an advocate for his client and no one else.** Any appraisals written by the agent for the client should be written in the same objective manner that any other aircraft appraisal would be written. However, the Buyer's Agent can, when acting in that capacity, add his or her own personal thoughts and advice to the client. Such advice may be in writing within the document, provided verbally, or within another agent to client written communication.

**Rule #5. An NAAA Qualified Buyer's Agent will act at the client's behest in that he or she may do as much or as little of the purchase process as the client requires.** However, when negotiating on behalf of the client the Buyer's Agent will do so solely with the client's interest at the forefront. The client will be

made aware of the details of any negotiation, should he not be present during them, and the final decision as to the negotiation and purchase will always be the client's, who may act upon the Buyer's Agent's advice or not. An NAAA Buyer's Agent may not sign any documents committing the client to any agreement with a seller or seller's agent without the client's written consent.

**Rule #6. The Buyer's Agent will insure that the necessary paperwork is completed before and after the purchase is completed.** This may include documentation of ownership, such as a title search, proper registration of the bill of sale, proper registration of the aircraft, proper filing of financial documents, etc. However, the buyer's agent is not responsible for documentation provided by and filed by a financial institution that he or she does not handle. The buyer's agent should provide the client with a title search completed approximately 90 days after the completion of a purchase that shows that the change of ownership and registration has been documented by the proper authorities. If the aircraft is being registered in a country other than the United States of America this rule may be waived by the agent if he or she decides it is not feasible to do an authentic search for such documentation.

**Rule #7. NAAA Qualified Buyer's Agents must maintain the confidential nature of the appraiser-client relationship.** Under no circumstance will a member disclose the results of any appraisal report, or any information gathered in the conduct of that appraisal, negotiation, or client discussion to anyone who does not have a need to know that information to further the client's interest without the express permission of the client. This rule does not apply to any government or court ordered decree, such as a subpoena, that may be legally provided to the agent by a government or court official having legitimate jurisdiction in a legal case.

**Rule #8. Members who are endorsed as NAAA/USPAP appraisers will adhere to the USPAP standards and operational requirements as published in the Uniform Standards of Professional Appraisal Practice when conducting NAAA/USPAP appraisals.**

**Rule #9. An NAAA Buyer's Agent will, under no circumstance, offer to sell to a client an aircraft that he is selling or brokering for another client, one that he owns, or has a financial interest in, or one that is owned by an immediate family member.**

**Rule #10. Under no circumstance will an NAAA Buyer's Agent take money or any other consideration from a seller or seller's agent in furtherance of the purchase of an aircraft by his client.**