



Are You Being Observed?

Dear Dave: We were looking at properties last week and were surprised when our licensee was called later by the seller complaining about the way in which we entered the home. Our licensee went back to the car for a call she had to answer after letting us into the home. Is something wrong here?

Answer: Technically yes, but there is a broader issue involved. You should be informed if you are going to be under video and/or audio surveillance when you are entering a property during a tour of homes.

It would be fair to say that Sellers can expect the licensee to accompany buyers when touring a home. After all, the licensee is vouching for the buyers (and often their children) to show respect for the seller's home and their personal property inside. So, "yes", she should have not left you alone in the house.

However, the issue of surveillance is an increasing concern and a buyer should not have to be worried about their own privacy when touring homes for sale. It is my view, and I have conveyed this to our local MLS, that sellers should disclose to buyers if they are being watched or listened to on the seller's premises.

Sellers may have a legitimate concern that their security mechanisms are not advertised to the general population but this would not prevent them from advising their Realtor, upon listing the property if, and to what extent, buyers and their representing licensee are being seen and/or heard.

I suggest that buyers will be well advised to generally assume that there is exterior surveillance at the front door since the 'Ring' product and others are now in common use. The 'Ring' doorbell also allows the homeowner to monitor what you say at the front door.

As far as the interior is concerned, you and your licensee might want to look for cameras. Mind you, this is not how you want to be enjoying your day so ask your Realtor to find out ahead of time the extent of surveillance. You are entitled to this information.

If sellers and their representing licensee would agree to disclose this to showing agents the problem would be solved. Alexis, Echo Dot and multiple other electronic devices are now living with Mom, Dad and the kids. Mom & Dad generally leave when you are looking at their property, but the devices remain active.

Just be cautious, and try to persuade the real estate industry, with me, to find a way to protect your privacy while also respecting the seller's security. The only other Buyer option would be to assume you are being watched and listened to, and act accordingly. View the home in silence and then discuss with your Realtor after you are out of surveillance range.

Dave

Wilson

