

Ummmm...What Does That Say?

Everyone understands and has likely experienced the frustration caused by miscommunication. Depending on the nature of the message that gets lost in translation, consequences can range from the comical to the catastrophic. We often think that if we put it in writing, an idea or agreement is safe from future mistake. This only works, however, if the writing is legible. Failing to legibly record the parties' intentions could be a violation of **Bylaw 702** for failing to protect and promote the interests of your client.

Messy or illegible writing is one obvious cause of illegibility. Take extra care with transaction documents so **everyone** – from clients to auditors – can read them (not just you). If your handwriting isn't easy to read, consider typing in the spaces on standard forms or referring to an attached schedule that contains the necessary information.

Another hazard is handwriting that just doesn't fit the space provided. Your writing may be larger than the lines provided on mandatory or standard forms, or there may be more information to communicate than space allows. In these cases, please include a schedule as part of the document instead of trying to make your writing into 8-point font or squeezing into the margins. Including more pages might feel like more work for you, but it's less work for everyone else who has to read your writing.

From MLS® Data Input Forms, to *Disclosures of Interest in Trade*, brokerage contracts, to *Contracts of Purchase and Sale*, each document matters to you and your client. Being able to refer to thorough, clear documentation means all parties are more likely to have the same understanding of the transaction. If they don't (for reasons other than legibility), legible transaction documents will make a review of the transaction easier for a tribunal or court.

Registrants are stewards of their clients' documents and ultimately responsible for making sure that they serve their purposes in a trade. Ensuring that the relevant signatures are properly received and witnessed is necessary, but not sufficient to the overall goal. The **legibility of the document itself** is of central importance and worthy of professional care and attention.