

**Commercial Brokers Association**  
**Referral Fees Disclosure – Forms Revisions**  
**10/7/25**

This Legal Bulletin describes important revisions made to certain CBA forms related to disclosure of broker referral fees. The new forms are available now in Legal Library Pro. Note that references to sellers and buyers in this bulletin are intended to include landlords and tenants.

**Listing Agreements**

The listing agreements have a new section titled “Referral Fee Disclosure” to disclose to the seller whether the listing firm is obligated to pay a referral fee to a brokerage firm that referred the seller. When such an obligation exists, brokers should use the new section to disclose the existence and amount of the fee and the identity of the referring firm. The provision also includes the seller’s consent to the listing firm’s sharing of the referral fee in accordance with RCW 18.86.080.

**Buyer Brokerage Services Agreements**

The buyer brokerage services agreements have a new section titled “Referral Fee Disclosure” to disclose to the buyer whether the buyer brokerage firm is obligated to pay a referral fee to a brokerage firm that referred the buyer. When such an obligation exists, brokers should use the new section to disclose the existence and amount of the fee and the identity of the referring firm. The provision also includes the buyer’s consent to the buyer brokerage firm’s sharing of the referral fee in accordance with RCW 18.86.080.

**Disclosure and Consent Forms (Forms DC and DCL)**

Forms DC and DCL are used when transaction documents do not otherwise contain disclosures and consents required by Washington law, such as when transactions are prepared using legal documents other than CBA forms. Section 2 of each the Disclosure and Consent forms contains compensation disclosures of the buyer’s broker that must be made pursuant to RCW 18.80.080(8) when a broker represents a buyer of commercial real estate without obtaining a brokerage services agreement. That section contains a new sub-section titled “Referral Fee Disclosure” to disclose to the buyer whether the buyer brokerage firm is obligated to pay a referral fee to a brokerage firm that referred the buyer. When such an obligation exists, brokers should use the new section to disclose the existence and amount of the fee and the identity of the referring firm. The provision also includes the buyer’s consent to the buyer brokerage firm’s sharing of the referral fee in accordance with RCW 18.86.080.