I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
77-38 (COR)	Telo T. Taitague	AN ACT TO *ADD* A NEW § 104116.1 TO ARTICLE 1 OF CHAPTER 104 OF TITLE 21, GUAM CODE ANNOTATED RELATIVE TO CLARIFYING REAL ESTATE BROKERAGE AGREEMENTS.	3/5/25 10:23 a.m.	3/14/25 2:27 p.m. 6/11/25 2:11 p.m.	Committee on Finance and Government Operations. Re-Referred: Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Request: 3/14/25 Waiver: 3/17/25	7/22/25 11:00 a.m.	9/4/25	
	SESSION DATE	**TITLE**	**DATE PASSED**	**TRANSMITTED**	**DUE DATE**	**NOTES**			
	9/29/25	AN ACT TO *ADD* A NEW § 104116.1 TO ARTICLE 1, CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING REAL ESTATE BROKERAGE AGREEMENTS.	10/3/25	10/7/25	10/18/25				

COPY

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
Thirty-Eighth Guam Legislature

October 7, 2025

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are Bill Nos. 1-38 (COR), 7-38 (COR), 21-38 (COR), 51-38 (COR), 70-38 (COR), 73-38 (COR), 77-38 (COR), 91-38 (COR), 99-38 (COR), 119-38 (COR), 135-38 (COR), 137-38 (COR), 144-38 (COR), 146-38 (COR), 164-38 (COR), and 177-38 (LS) which were passed by *I Mina'trentai Ocho Na Liheslaturan Guahan* on October 3, 2025.

Sincerely,

Senator Sabrina Salas Matanane
Legislative Secretary

Enclosure (16)

OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Elaine Tajalle
Date: 10/7/25 Time: 4:40pm

COPY

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

This is to certify that **Bill No. 77-38 (COR), "AN ACT TO *ADD* A NEW § 104116.1 TO ARTICLE 1, CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING REAL ESTATE BROKERAGE AGREEMENTS,"** was on the 3rd day of October 2025, duly and regularly passed.

Frank F. Blas, Jr.
Speaker

Attested:

Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 7th day of October, 2025, at 4:40 o'clock P.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date:_____

Public Law No._____

OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Elaine Tajalle
Date: 10/7/25 Time: 4:40 pm

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 77-38 (COR)

Introduced by: Telo T. Taitague
V. Anthony Ada
Chris Barnett
Frank F. Blas, Jr.
Vincent A.V. Borja
Shelly V. Calvo
Christopher M. Dueñas
Eulogio Shawn Gumataotao
Jesse A. Lujan
Tina Rose Muña Barnes
William A. Parkinson
Sabina Flores Perez
Sabrina Salas Matanane
Joe S. San Agustin
Therese M. Terlaje

AN ACT TO *ADD* A NEW § 104116.1 TO ARTICLE 1, CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING REAL ESTATE BROKERAGE AGREEMENTS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that there is a need to update current real estate law to ensure consumer protection for sellers, lessors, buyers, and lessees and to create a level playing field that would best be achieved through the use of real estate brokerage agreements.

Therefore, it is the intent of *I Liheslaturan Guåhan* to require written real estate brokerage agreements for all real estate transactions to ensure transparency and promote a level playing field within the real estate industry.

Section 2. A new § 104116.1 is *added* to Article 1, Chapter 104, Title 21, Guam Code Annotated, to read:

"§ 104116.1. Real Estate Brokerage Agreement.

Prior to commencement of brokerage services, a written real estate brokerage agreement must be entered into between a real estate brokerage represented by a licensed real estate broker or licensed real estate salesman, and a real estate seller, lessor, buyer, or lessee.

The brokerage agreement shall be in writing and a copy shall be provided to the seller, lessor, buyer, or lessee within three (3) business days of the time of signing. The original and all electronic files shall be retained by the real estate brokerage.

(a) A brokerage agreement with the seller or lessor shall:

(1) include a definite start date and expiration date, which is effective without notice to the seller or lessor;

(2) state the amount of compensation to be paid to the brokerage, including authorization to receive the compensation from a person other than the seller or lessor;

(3) state whether the brokerage is authorized to cooperate and share compensation with another brokerage and to specify the amount of the compensation described as a percentage of the purchase price, a specific dollar amount, or a combination of both;

(4) explain the events or conditions that will entitle the brokerage to a commission or other compensation; and

(5) contain a provision for the cancellation of the brokerage relationship by either the seller or lessor or brokerage or by mutual agreement.

(b) The brokerage agreement with a buyer or lessee shall:

(1) include a definite start date and expiration date, which is effective without notice to the seller or lessor;

(2) state the amount of compensation to be paid to the brokerage described as a percentage of the purchase price, a specific dollar amount, or a combination of both;

(3) state whether the brokerage is authorized to receive some or all of the compensation to be paid from a person other than the buyer or lessee;

(4) state the buyer's or lessee's rights and obligations regarding the compensation to be paid to the brokerage and if the brokerage is authorized to receive some or all of the compensation to be paid from a person other than the buyer or lessee;

(5) explain the events that must occur or conditions that must be met in order for the brokerage to be entitled to a commission or other compensation; and

(6) contain a provision for the cancellation of the brokerage relationship by either the buyer or lessee or brokerage or by mutual agreement."

Section 3. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or inorganic, such invalidity shall not affect other provisions or applications of this Act that can be given effect without

1 the invalid provision or application, and to this end the provisions of this Act are
2 severable.
3 **Section 4. Effective Date.** This Act shall be effective upon enactment.