

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 <i>ADD</i> 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.	Committee on Finance and Government Operations.	Request: 3/14/25	7/22/25 11:00 a.m.	9/4/25	
				6/11/25 2:11 p.m.	Re-Referred: Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Waiver: 3/17/25			
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	9/29/25	AN ACT TO <i>ADD</i> 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	38-67	10/17/25	Received: 10/17/25 Mess and Comm. Doc. No. 38GL-25-1356	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

38GL-25-1356

UFISINAN I MAGA'HĀGAN GUĀHAN OFFICE OF THE SPEAKER
OFFICE OF THE GOVERNOR OF GUAM FRANK F. BLAS JR.

OCT 17 2025

Transmitted via Email to: speakerblas@guamlegislature.org

Time: 4:30 PM
Received: [Signature]

October 17, 2025

THE HON. FRANK BLAS, JR., *Speaker*
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Bill No. 77-38 (COR), "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."

Håfa Adai Mr. Speaker,

Bill No. 77-38 provides clarity to both the buyers and sellers entering into a real estate brokerage agreement. The bill requires the terms of performance for the brokerage and the rate of compensation be presented in writing. The agreement must also contain a provision that explains the procedures for cancellation, if necessary. The agreement must be signed by both the sellers/lessors and the buyers/lessees at the beginning of the business arrangement. By clearly defining the terms of the agreement for all parties involved, consumers can make better, more informed decisions when involved in what may be the most significant financial transaction of their lives.

For these reasons, I sign Bill No. 77-38 (COR) into law as **Public Law No. 38-67**.

Senseramente,

[Signature]
JOSHUA F. TENORIO
I Åkto Maga'låhen Guåhan
Acting Governor of Guam



38GL-25-1356
Messages and Communications

RECEIVED
COMMITTEE ON RULES
October 20, 2025

9:33 a.m.
Marie Crisostomo

Enclosure(s): Bill No. 77-38 (COR) nka P.L. 38-67

cc via email: The Honorable Lourdes A. Leon Guerrero, *Maga'hågan Guåhan*, Governor of Guam
Compiler of Laws

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

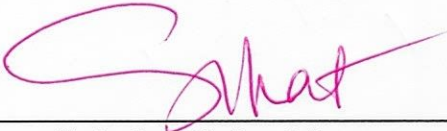
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

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: 10/17/2025

Public Law No. 38-67

2025 - 24630

OFFICE OF THE GOVERNOR	
CENTRAL FILES OFFICE	
Rec'd By: <u>Elaine Tajalle</u>	
Date: <u>10/17/25</u>	Time: <u>4:40 PM</u>

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.

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

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

6 **“§ 104116.1. Real Estate Brokerage Agreement.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 **Section 3. Severability.** If any provision of this Act or its application to any
25 person or circumstance is found to be invalid or inorganic, such invalidity shall not
26 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.