**GABB CODE OF ETHICS**

1. **Ethical Requirements in Dealing with Clients & Customers**

Article 1.1

The Business Broker shall make reasonable efforts to protect the public and all parties to a transaction against fraud, misrepresentation and unethical practices with respect to the subject business transaction.

Article 1.2

A Business Broker, in accepting employment as an agent, pledges to protect and promote the interest of the client. This obligation of absolute loyalty and honesty to the Client’s interest is primary, but it does not relive the Broker from the obligation of dealing fairly with all parties to the transaction.

Article 1.3

The Business Broker shall not deny equal professional service to, nor be a party to any plan or agreement to discriminate against, any person for reasons of race, creed, sex, religion or country of national origin.

Article 1.4

The Business Broker should not engage in the practice of law and has the responsibility to recommend that Clients use attorneys for their advice. The Business Broker should not create original financial statements and tax returns for Clients and has the responsibility to recommend that Clients use tax accountants for independent advice on transactions.

Article 1.5

The Business Broker, for the protection of all parties, should see that the financial obligations and commitments regarding business transactions are in writing, expressing exact agreement of the parties. The Business Broker should also see that copies of such agreements are made available to all parties involved.

Article 1.6

The Business Broker will maintain the necessary confidentiality while conducting the sale of the business, and will require the same from prospective buyers or other Brokers.

Article 1.7

The Business Broker should not submit or advertise businesses without written authority; in any offerings the price quoted should be agreed upon with the Seller. The Business Broker should always have a written Brokerage Engagement, providing authorization to sell or purchase as appropriate, from the prospective seller or purchaser. Said agreement should include all the material terms of the sale or purchase, including price, terms of agreement, and compensation to be paid to the Business Broker.

Article 1.8

All bona fide offers will be submitted to the seller. The decision to accept or to reject an offer remains with the seller at all times.

Article 1.9

The Business Broker should keep in a special trust account, separated from the Broker’s own funds, monies placed in trust for other persons.

Article 1.10

If the Business Broker is representing one or another party to a transaction, the Broker should not accept compensation from more than one party without the full knowledge of all parties to the transaction.

1. **Ethical Requirements in Business Practices**

Article 2.1

The listing of a business should be in writing in accordance with Georgia Law under BRRETA. It is urged, though not required, that the listing be an exclusive listing. Only exclusive listings may be offered in the Association multiple listing service. If a listing is not exclusive, full disclosure must be made of that fact to any co-operating Brokers.

Article 2.2

A Business Broker, when making a formal valuation or appraisal of a business, should not render an opinion without careful and thorough analysis and interpretation of all market and economic factors affecting the value of the business.

Article 2.3

Unless the extent or lack of experience of the Business Broker is fully disclosed to the Client, the Broker should not undertake to make business assessments that are outside or beyond the scope of the Broker’s experience without first obtaining the assistance of a qualified professional.

Article 2.4

The Business Broker, when acting as an agent in the management of a business, should not accept any commission, rebate, or profit on expenditures made for the owner, without the owner’s knowledge and consent.

Article 2.5

When employment or fee is contingent upon the amount of an appraisal or valuation, the Business Broker should not undertake to make an appraisal or render an opinion of value on any property in which the Broker has a present or contemplated interest, unless such interest is specifically disclosed in the appraisal.

Article 2.6

The Business Broker will not engage in the practice of disclosing one buyer’s offer to another buyer as a sales technique.

1. **Ethical Requirements in Dealing with Other Brokers**

Article 3.1

The Business Broker shall not serve as both principal and Agent or consultant on a transaction unless full disclosure is made in writing to all parties involved.

Article 3.2

In justice to those who place their interests in a Business Brokers’ care, the Business Broker should keep informed as to trends affecting businesses in the community.

Article 3.3

The Business Broker should conduct business to avoid controversies with fellow Brokers, cooperate with the Association and its officers in all matters, including investigation, censure, discipline, or dismissal of members who, by their conduct prejudice their professional status or the reputation of the Association.

Article 3.4

In the best interest of the Association, society, fellow Brokers and associates, the Business Broker should be loyal to the community and active in the field of Business Brokerage.