

3088 REAL ESTATE LISTING CONTRACT: TERMINATION FOR CAUSE

A real estate broker employed by a seller under a real estate listing contract is bound to exercise reasonable care and skill. The broker must exert himself or herself with reasonable diligence in endeavoring to make a sale of the property to the best advantage of the seller. The seller is entitled to the benefit of the broker's skill, knowledge, and best judgment in effecting a sale of the property.

A real estate broker's failure to perform his or her duty, or negligence, or misconduct on the broker's part, may constitute cause which would justify termination by the seller of the listing contract.

COMMENT

This instruction and comment were approved by the Committee in 1975. Editorial changes were made in 1993 to address gender references in the instruction. No substantive changes were made to the instruction.

12 Am. Jur. 2d § 96.

For damages in this situation, see Wis JI-Civil 3740.