

EXCLUSIVE SELLER REPRESENTATION AGREEMENT
DOWER CONSENT AND ACKNOWLEDGMENT
(For Use in Common Law and Designated Agency Brokerages)

This document forms part of Exclusive Seller Representation Agreement #: _____

Municipal Address: _____

This form is to be used if:

- (a) there is only one registered owner of the property;
- (b) the owner is legally married (includes a separated couple not yet legally divorced but does not include a couple in a common law relationship); and
- (c) the owner or the owner's spouse has resided on the property at any time since marriage.

This form is to be signed by the spouse of the registered owner of the property. The spouse must sign:

- (a) The Exclusive Seller Representation Agreement
- (b) The Exclusive Seller Representation Agreement Dower Consent and Acknowledgment
- (c) The Purchase Contract
- (d) The Purchase Contract Dower Consent and Acknowledgment

Please Note:

- This consent form is not required when there is an undischarged Release of Dower Rights registered on title. However, the *Dower Act* allows for revocation of a Release of Dower Rights. Accordingly, legal advice is recommended when there is a Release of Dower Rights registered on title.
- If this form is signed in Alberta, an Officiating Officer is an authorized person such as a lawyer, Commissioner for Oaths, or a Notary Public (refer to your brokerage policy for direction on execution). When signed outside of Alberta, the Officiating Officer should confirm that they have the appropriate authority. The instrument is the Exclusive Seller Representation Agreement.

CONSENT OF SPOUSE

I, _____, being married to _____ do hereby give my consent to the disposition of our homestead, made in this (or the annexed) instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the property given to me by the *Dower Act*, to the extent necessary to give effect to the disposition.

Signature of Spouse _____

NOTE: If this consent is being annexed to the instrument making the disposition, section 4(5) of the Act requires that the person signing this consent must also sign the instrument.

CERTIFICATE OF ACKNOWLEDGMENT BY SPOUSE

- 1.1 This document was acknowledged before me by _____ apart from her/his husband/wife.
- 1.2 _____ acknowledged to me that she (or he)
- (a) is aware of the nature of the disposition (or agreement);
 - (b) is aware that the *Dower Act* gives her (or him) a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
 - (c) consents to the disposition (or agreement) for the purpose of giving up the life estate and other dower rights in the homestead given to her (or him) by the *Dower Act*, to the extent necessary to give effect to the said disposition (or agreement);
 - (d) is executing the document freely and voluntarily without any compulsion on the part of her/his husband/wife.

Dated at _____ in the Province of _____ on _____, 20____.

Title of Officiating Officer: _____