

# General conditions for mediation

**In accordance with the Law on mediation in real estate transactions promulgated on October 10, 2007, ELEGANT realty estate Dubrava near Tisno, Vlašići 43, as a mediator, adopts the General Conditions for mediation.**

## **Description of individual mediator jobs**

### *Article 1.*

1. The mediator is obliged, with the attention of an orderly and conscientious businessman, to undertake actions in the sense of trying to find and bring into contact with the principal a person who would negotiate the conclusion of a purchase or other contract aimed at the transfer and acquisition of ownership rights, which realizes the interest of the principal.

2. In addition to the obligation to find a person or an opportunity to conclude a contract, the mediator, with the cooperation and notification of the client, undertakes to mediate in the negotiations, to try to get the parties to agree and conclude a contract to their mutual satisfaction, to inform the client (seller/buyer) of the circumstances important for conclusion of the deal, provide legal support during the preparation of individual acts and submit the necessary documentation after the conclusion of the contract to the competent ZK department of the Municipal Court for the registration of ownership rights.

## **Intermediary fee**

### *Article 2.*

1. The fundamental obligation of the principal (seller/buyer) is to pay the intermediary the agreed fee, which is paid for individual tasks of the intermediary described in Article 1 of the General Conditions for Mediation.

2. The obligation to pay the brokerage commission is regulated by the Brokerage Agreement, which is concluded with each principal (seller/buyer) individually, and which also regulates the amount of the brokerage fee.
3. The fee for the mediation service is charged as a percentage of the total amount of the purchase price, and the amount must never exceed a total of 6% + VAT of the purchase price
4. The intermediary arranges the intermediary commission with the Decision on the method of price formation, which is based on the price list published by the Croatian Chamber of Commerce - Trade Sector.

Material costs that are not included in the compensation

Article 3.

1. The agreed and paid mediation fee does not include the costs of paying court fees for registration, pre-registration and recording, notary fees for the verification of signatures on documents, payment of fees for obtaining a title deed, copies of the cadastral plan, identification, mortgage transfer for the purpose of changing the mortgage debtor, certificates and of documents related to the concluded legal transaction, which realizes the interest of the principal (seller/buyer), but this is exclusively his obligation.

2. Material costs, which usually constitute court fees for the actions described in paragraph 1 of this article, are charged according to the current Law on court fees and other laws regulating the aforementioned payment of the costs in question, or the ordering party (seller/buyer) independently pays the court fees in question, which as evidence, it is submitted to the mediator for the purpose of attaching it to the proposals/requests that condition the settlement of the due court fees.

**Cancellation of the mediation order**

#### Article 4.

1. The principal (seller/buyer) can cancel the mediation order, provided that the cancellation is not contrary to the principle of conscientiousness. In this regard, the procedure for canceling an order cannot fall into a storm, that is, with the intention of depriving the intermediary or knowingly damaging the right to compensation.

2. The cancellation of the mediation order is specified in the Mediation Agreement.

#### **Professional qualification**

#### Article 5.

1. The agency as a mediator has at least one employed person, an agent or company director, who is professionally qualified for mediation in real estate transactions, and has passed the professional exam referred to in Article 30 of the Act on mediation in real estate transactions.