



Corporate McDonald's

\$2,182,000 | 3.85% CAP

Hwy 83 & 23rd St, Penitas, TX 78576 (Opportunity Zone)

- ✓ **Brand New 20-Year Corporate Absolute NNN Ground Lease** With 10% Rental Increases Every 5-Years
- ✓ **Prime US-83 Frontage Location** | Rapidly Expanding Retail Corridor | ±39k VPD
- ✓ **Shadow-Anchored By Walmart Supercenter & Home Depot** | Located Alongside Numerous National Tenants Within Liberty Corners Retail Center and Adjacent To 58-Acre Penitas Crossing Development
- ✓ **McAllen-Edinburg-Mission MSA Growth (1M+ Pop) Fueling Investment In Penitas** With \$40M+ In New Retail And \$13M+ In The Liberty Blvd Expansion
- ✓ **The Rio Grande Valley Is One Of The Fastest-Growing Regions In The U.S.,** With Population Expected To Nearly Double By 2045

McDonald's is the **world's most valuable** restaurant brand, operating **44,000+ locations worldwide**. The company continues to expand through digital innovation, delivery, and modernized drive-thru formats that enhance **speed, consistency,** and everyday convenience.



INVESTMENT OVERVIEW

MCDONALD'S PENITAS, TX



File Photo

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\$2,182,000

3.85% CAP

NOI

\$84,000

Building Area

±3,700 SF

Land Area

±1.33 AC

Year Built

2026

Lease Type

Ground Lease
(Absolute NNN)

Occupancy

100%

- ✓ **Brand New 20-Year Corporate Absolute NNN Ground Lease** with 10% Rental Increases Every 5 Years and (8) 5-Year Renewal Options
- ✓ **Tenant Strength: McDonald's USA, LLC** (BBB S&P, world's most valuable restaurant brand- \$40.5B, 2025) McDonald's offers exceptional financial stability, operational excellence, and leadership in QSR innovation. The company maintains a proven record of brand loyalty and consistent performance across economic cycles, reinforcing its reputation as a premier corporate tenant.
- ✓ **Prime Location within Liberty Corners Retail Center with Direct Frontage on US-83**, a rapidly growing retail corridor shadow-anchored by Walmart Supercenter and a 136,000 SF Home Depot currently under construction and featuring national tenants including Denny's, Chick-fil-A, Starbucks, Take 5, and 7-Eleven.
- ✓ **Directly Adjacent to the Future Penitas Crossing**, a 58-acre master-planned retail center with announced national tenants Burlington, Ross Dress for Less, Marshalls, Five Below, LongHorn Steakhouse, and Olive Garden; poised to become the area's dominant shopping destination.
- ✓ **Penitas, TX is Rapidly Transforming into a Regional Retail Destination** fueled by millions in investment from major national retailers, with this commercial growth underscored by the city's infrastructure investments like the Liberty Blvd expansion into a 2.5-mile, four-lane roadway that increases Penitas' connectivity to its retail center.
- ✓ **With Nearly 1 Million Residents, the McAllen-Edinburg-Mission MSA is Emerging as a Powerhouse** in cross-border commerce, advanced manufacturing, and healthcare, driven by strong GDP growth, rapid job creation, and significant infrastructure investment—positioning the region to attract capital and sustain long-term economic expansion.
- ✓ **Fueled by Rapid Population Growth** and robust trade with Mexico, the Rio Grande Valley has matured into a dynamic regional economy supported by first-class commercial, retail, industrial, medical, education, and retirement sectors.

This information has been secured from sources we believe to be reliable but we make no representations or warranties, expressed or implied, as to the accuracy of the information. Buyer must verify the information and bears all risk for any inaccuracies.

SECURE
NET LEASE

TENANT OVERVIEW

MCDONALD'S PENITAS, TX

McDonald's

Lessee: McDonald's USA, LLC, a Delaware limited liability company

REVENUE
\$26.06B
(TTM AS OF
Q3 2025)

CREDIT RATING
BBB+

STOCK TICKER
MCD

LOCATIONS
44,000+
(GLOBAL);
~13,700 U.S.



mcdonalds.com

Founded in 1955, McDonald's USA, LLC (a wholly-owned subsidiary of McDonald's Corporation; NYSE: MCD) operates the world's largest, most visible restaurant brand with over 44,000 locations in over 100 countries.

McDonald's is a category leader for system sales, operational innovation, and digital engagement. Driven by exceptional brand strength and a **BBB+ investment-grade credit rating**, McDonald's consistently secures top rankings for global familiarity, consumer trust, and digital loyalty growth. The company posted **\$26 billion** in trailing-twelve-month corporate revenue and **\$36B** in quarterly systemwide sales in **Q3 2025**, built on everyday value, menu innovation, and best-in-class marketing.

Approximately 95% of restaurants are franchised, ensuring stable cash flows; McDonald's strategic focus on digital, sustainability, and operational excellence positions the brand for **long-term global expansion**, making this tenant one of the safest and **most recognized anchors** in commercial real estate.

File Photo



IN THE NEWS

MCDONALD’S PENITAS, TX

McDonald's Earnings Beat Estimates As Chain's Value Push Pays Off

AMELIA LUCAS, FEBRUARY 11, 2026 (CNBC)

Buzzy promotions — like its Grinch Meal and Monopoly promotion — have helped the burger chain win over consumers.

“By listening to customers and taking action, we have improved traffic and strengthened our value & affordability scores,” CEO Chris Kempczinski said in a statement.

Here’s what the company reported compared with what Wall Street was expecting, based on a survey of analysts by LSEG:

Earnings per share: **\$3.12** adjusted vs. **\$3.05** expected

Revenue: **\$7 billion** vs. **\$6.84 billion** expected

The fast-food giant reported fourth-quarter net income of \$2.16 billion, or \$3.03 per share, up from \$2.02 billion, or \$2.80 per share, a year earlier.

The company’s same-store sales **increased 5.7%**, fueled by strong growth in its home market. Wall Street was projecting same-store sales growth of **3.9%**, according to Street Account estimates.

U.S. same-store sales increased **6.8%**. In the year-ago period, its domestic same-store sales shrank **1.4%** after an E. coli outbreak weeks into the quarter weighed on traffic. McDonald’s credited buzzy promotions — like its Grinch Meal and Monopoly promotion — that boosted both traffic and sales this year.

For nearly a week, McDonald’s was the **largest seller of socks** in the world, thanks to the popularity of the Grinch Meal, which included the special-edition clothing item in many of its markets. Kempczinski said the company sold **50 million pairs** globally in the first few days of the promotion.

EXPLORE ARTICLE

McDonald's surpasses Starbucks as most valuable restaurant brand

ALICIA KELSO, MARCH 24, 2025 (NRN)

After a challenging 2024 that included four straight quarters of same-store sales declines, Starbucks is no longer the world’s most valuable restaurant brand, according to a new “Restaurants 25 2025” report from valuation consultancy Brand Finance.

The coffee giant has ceded the top spot to McDonald’s, which experienced a **7% increase** in value to **\$40.5 billion**. It’s the first time McDonald’s has held the top spot since 2016. According to Brand Finance research, the Golden Arches’ increase is driven by an improvement in its Brand Strength Index (BSI) score, which has climbed from **82.9 in 2024 to 90.5 out of 100**, earning an AAA+ rating. McDonald’s excels in several brand strength metrics, including a 10 out of 10 score for “familiarity,” **9.5 for “consideration,”** and **9.4 for “preferred brand.”** McDonald’s ranks 42nd among the world’s 500 most valuable brands.

Brand Finance named McDonald’s 2025’s most valuable restaurant brand, at \$40.5 billion—outpacing Starbucks and earning top AAA+ status for consumer trust and familiarity.

Meanwhile, Starbucks’ brand value declined **36% to \$38.8 billion**, placing it second among the world’s most valuable restaurant brands. The coffee chain had previously held the top spot for eight consecutive years, and Brand Finance attributes its drop to declines in key brand strength metrics in the United States and China, including **“reputation” and “recommendation.”** The company hired Brian Niccol, who had led Chipotle since 2018, as its new CEO in August to ignite a turnaround. His strategy has included getting back to a coffeehouse culture with details such as ceramic mugs and comfortable seating, as well as speedier service.

EXPLORE ARTICLE

LEASE OVERVIEW

MCDONALD'S PENITAS, TX

Initial Lease Term	20-Years, Plus (8), 5-Year Options to Renew
Store Opening	August 15 th 2026
Lease Expiration	2046
Lease Type	Ground Lease (Absolute NNN)
Rent Increases	10% Every 5 Years, In Primary Term & Options
Annual Rent YRS 1-5	\$84,000
Annual Rent YRS 6-10	\$92,400
Annual Rent YRS 11-15	\$101,640
Annual Rent YRS 16-20	\$111,804
Option 1	\$122,984
Option 2	\$135,283
Option 3	\$148,811
Option 4	\$163,692
Option 5	\$180,061
Option 6	\$198,068
Option 7	\$217,874
Option 8	\$239,662

This information has been secured from sources we believe to be reliable but we make no representations or warranties, expressed or implied, as to the accuracy of the information. Buyer must verify the information and bears all risk for any inaccuracies.





±21,398 VPD

N 23RD STREET

LA JOYA
JIMMY CARTER EARLY HIGH SCHOOL
COLLEGE HIGH SCHOOL (2,624 STUDENTS)
(362 STUDENTS)

LORENZO DE
ZAVALA MIDDLE SCHOOL
(608 STUDENTS)

IDEA LA JOYA
(243 STUDENTS)

JOHN F KENNEDY
ELEMENTARY SCHOOL
(661 STUDENTS)

PENITAS
CROSSING

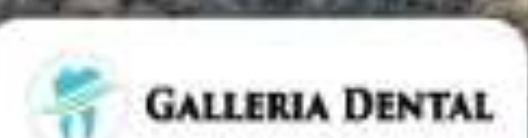
CESAR E. CHAVEZ
MIDDLE SCHOOL
(653 STUDENTS)



UNDER
CONSTRUCTION



SUBJECT PROPERTY
HWY. 83 & 23RD ST.



DOLLAR GENERAL

DOLLAR GENERAL

TABASCO
ELEMENTARY SCHOOL
(579 STUDENTS)



E EXPRESSWAY 83
±22,307 VPD



WALKER LAKE





AutoZone
StateFarm

O'Reilly AUTO PARTS
Burger King
Church's

Panda Express
Chinese Kitchen

MURPHY USA

IDEA LA JOYA
(243 STUDENTS)

LA JOYA HIGH SCHOOL
(2,624 STUDENTS)

JIMMY CARTER EARLY
COLLEGE HIGH SCHOOL
(362 STUDENTS)

LORENZO DE
ZAVALA MIDDLE SCHOOL
(608 STUDENTS)

JOHN F KENNEDY
ELEMENTARY SCHOOL
(661 STUDENTS)

INTERSTATE
2

83

HIGHWAY 28&83
(21,398 VPD)

DOLLAR GENERAL

USPS.COM

Walmart
Supercenter

THE HOME
DEPOT
UNDER
CONSTRUCTION

FUTURE
DEVELOPMENT

Dutch Bros

PNC

TAKE 5

Wendy's

Chick-fil-A

Starbucks

DOLLAR TREE
FirstCash
SUBWAY
Domino's
Little Caesars
penny's

SONIC

stripes

McDonald's

AMBER WAY

N 23RD STREET

PENITAS
CROSSING

BUSINESS
83

E EXPRESSWAY 83
(22,307 VPD)

Walmart
Supercenter



UNDER
CONSTRUCTION

JOHN F KENNEDY
ELEMENTARY SCHOOL
(661 STUDENTS)



HIGHWAY 2&83
(21,398 VPD)



FUTURE
DEVELOPMENT



AMBER WAY



E EXPRESSWAY 83
(22,307 VPD)

N 23RD STREET

THE HOME DEPOT
UNDER CONSTRUCTION

FUTURE DEVELOPMENT



PENITAS CROSSING

stripes

AMBER WAY

N 23RD STREET

BUSINESS
83

E EXPRESS WAY 83
(22,307 VPD)





SITE OVERVIEW

MCDONALD'S PENITAS, TX



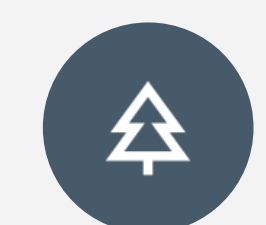
Year Built

2026



Building Area

±3,700 SF

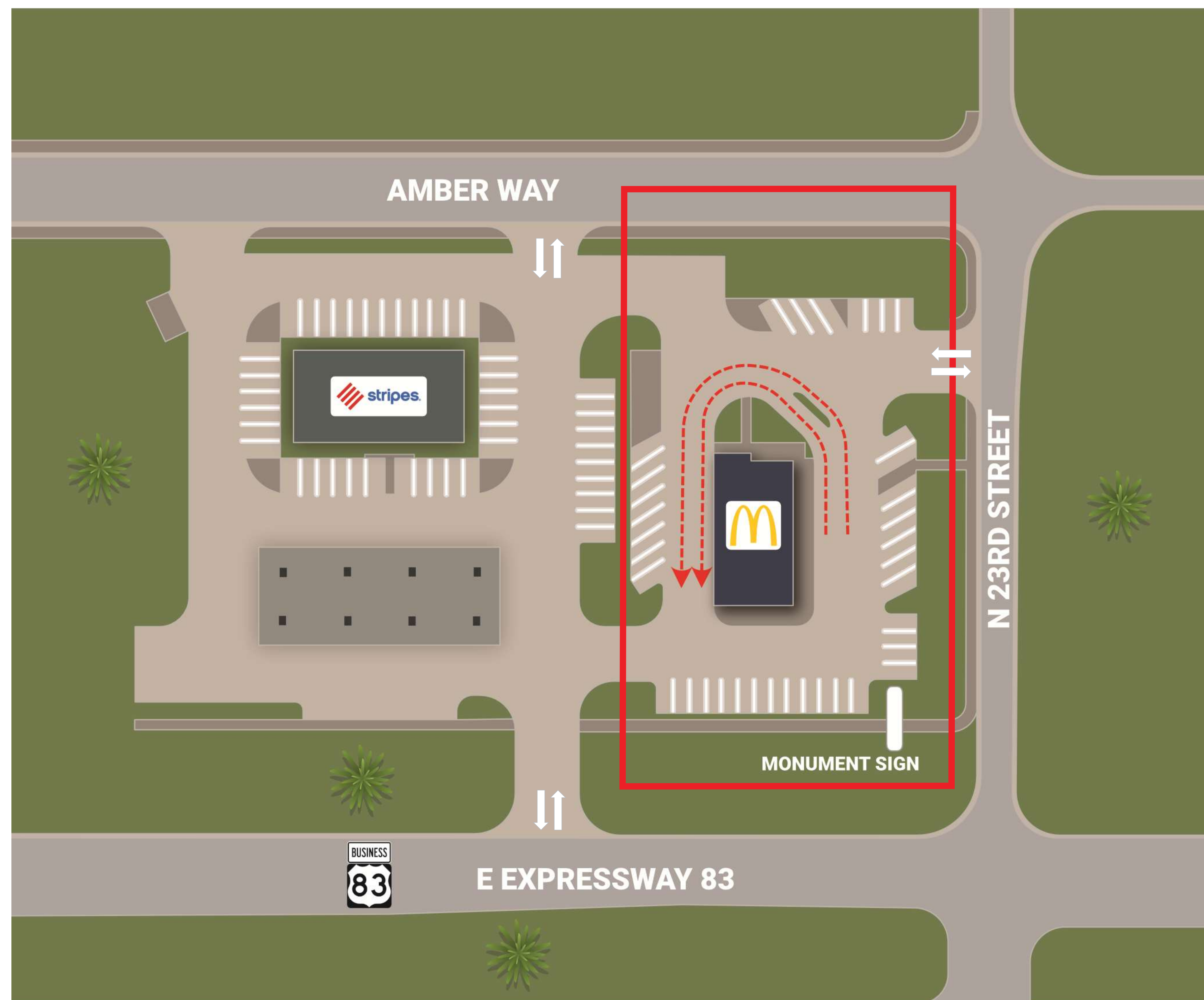


Land Area

±1.33 AC

NEIGHBORING RETAILERS

- Walmart Supercenter
- Dollar Tree
- Dollar General
- Starbucks
- Panda Express
- Wendy's
- Pizza Hut
- Burger King
- Chick-fil-A
- AutoZone Auto Parts



File Photo

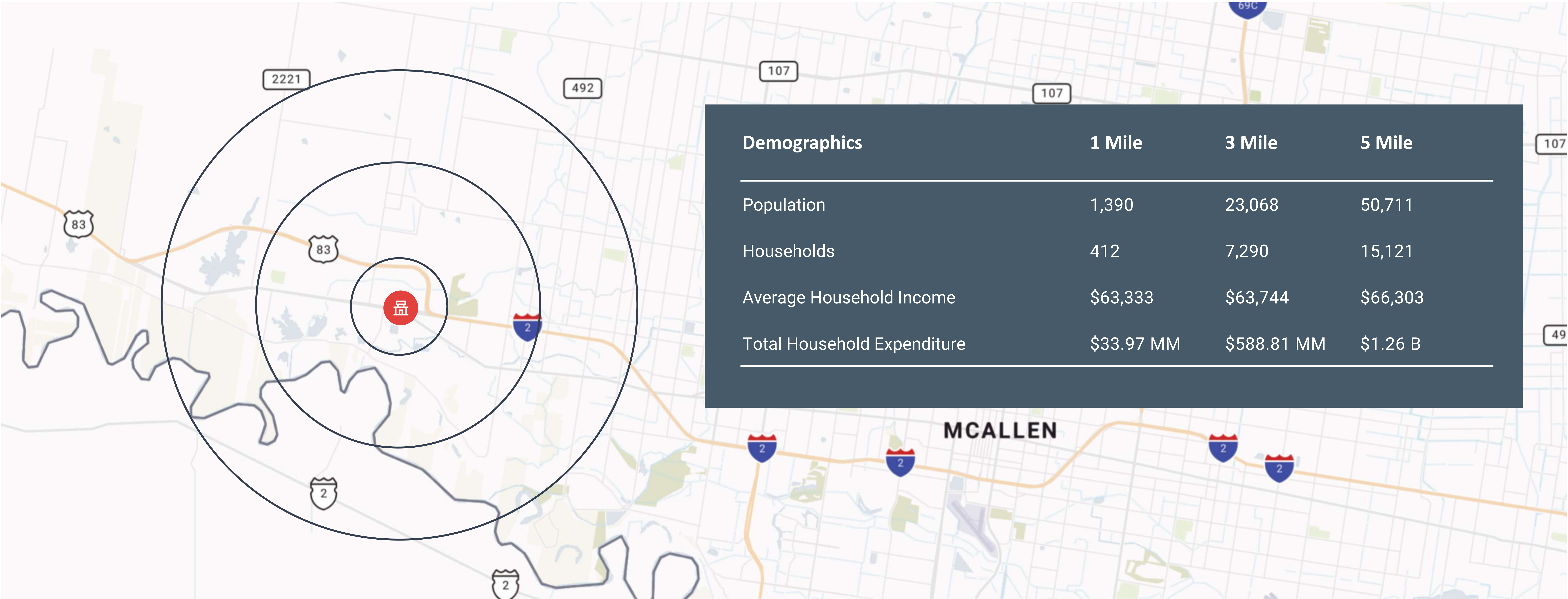
CONSTRUCTION PROGRESS AS OF JUNE 18, 2026

MCDONALD'S PENITAS, TX



LOCATION OVERVIEW

MCDONALD’S PENITAS, TX



MCALLEN-EDINBURG-MISSION MSA ECONOMIC DRIVERS (NUMBER OF EMPLOYEES)

1.

Edinburg Consolidated I.S.D (3600)
2.

McAllen Independent School District (3595)
3.

Edinburg Regional Medical Center (3000)
4.

University of Texas Pan American (2850)
5.

McAllen Medical Center (2800)
6.

Hidalgo County (2211)
7.

Mission Consolidated I.S.D (2140)
8.

City of McAllen (1801)
9.

Walmart (1000)
10.

Columbia Rio Grande Regional Hospital (975)
11.

South Texas College (811)

LOCATION OVERVIEW

MCDONALD’S PENITAS, TX



Peñitas, Texas is quickly evolving from a small border community into a high-growth market along the western edge of Hidalgo County, gaining momentum as both a residential and commercial destination.

The city is experiencing significant population expansion, supported by a pipeline of more than 400 acres of planned single- and multifamily development, alongside key infrastructure improvements such as the Tom Gill Road expansion and Liberty Road project.

Rapidly emerging retail hub in western Hidalgo County anchored by national development and population growth.

Local leadership has emphasized that this wave of development is expected to drive meaningful job creation, expand the tax base, and enhance public services—positioning Peñitas to support a higher level of retail and real estate activity. As rooftops continue to fill in and traffic increases along the US 83 corridor, the area is quickly becoming an attractive target for new retail, service-oriented businesses, and neighborhood commercial development.

This growth is closely tied to the broader strength of the McAllen–Edinburg–Mission metropolitan area, a key economic engine in South Texas located roughly 30 minutes from the U.S.–Mexico border. The metro has evolved into a hub for cross-border commerce, advanced manufacturing, and healthcare services, supported by strong GDP growth, rapid job creation, and ongoing infrastructure investment. Its strategic location, access to international trade routes, and a deepening labor pool fueled by more than 60,000 students enrolled in regional colleges and universities continue to attract employers and capital. As the metro expands westward, communities like Peñitas directly benefit from outward residential growth, increasing consumer demand, and the spillover of retail and commercial development from more established areas like McAllen and Mission.

At a regional level, the Rio Grande Valley has matured into a dynamic and opportunity-rich market driven by sustained population growth, a rapidly expanding healthcare sector, and robust cross-border commerce with Mexico. The region now supports a full spectrum of commercial, retail, industrial, medical, educational, and retirement facilities, reflecting its evolution into a well-rounded economic hub. Retailers in particular benefit from a unique demand driver: millions of cross-border shoppers who travel into the U.S. year-round, creating a consistent and reliable boost to retail sales that is not fully captured in traditional demographic data. This steady flow of consumer activity, combined with strong regional fundamentals, continues to position the Rio Grande Valley, and emerging submarkets like Peñitas, as a market with proven momentum and long-term upside for investment and development.

Tiny Texas Border Town Is Set For Explosive Retail Growth in 2026

DINA AREVALO, SEPTEMBER 10, 2025 (MYSA)

It’s a town of less than 6,400 people in western Hidalgo County, but that hasn’t stopped the tiny Rio Grande Valley city of Peñitas from quickly becoming a boomtown for retail development.

"Over the last year, several major retailers have chosen to invest in the town about 15 miles west of McAllen. The town, whose history stretches back to 16th-century explorations by Spanish colonizers, extends from the banks of the Rio Grande northward across Interstate 2.."

EXPLORE ARTICLE



Retail Boom Transforms Penitas

March 30, 2026 (Construction Owners)

A wave of retail construction is rapidly transforming Peñitas, a small town in the Rio Grande Valley, into an emerging commercial destination fueled by millions of dollars in new development.

The developments are concentrated along U.S. Highway 83, which is quickly becoming the town’s primary commercial corridor.

Between the future Home Depot and Peñitas Crossing, construction is nearing completion on a new Stripes location, adding to the growing mix of retail offerings.

This corridor builds upon the earlier success of the Liberty Corners retail center, which helped spark Peñitas’ commercial growth. That center already hosts popular chains such as: Chick-Fil-A, Wendy’s, Denny’s, Starbcuks. Together, these developments are creating a contiguous retail zone that is expected to attract shoppers from across western Hidalgo County.

EXPLORE ARTICLE



Home Depot Anchors Penitas Boom As City Braces for Retail, Housing Surge

LEA JUAREZM, SEPTEMBER 28, 2025 (RGV BUSINESS JOURNAL)

Home Depot will open a 136,000-square-foot store in Peñitas as part of a wave of new shopping centers and housing developments that city officials say will transform the 6,400-resident community’s economy and tax base.

"The two retail centers at Expressway 83 and 23rd Street could provide more than 200 jobs and access to goods previously only available in larger nearby cities, City Manager Beto Garza said.

“We’re going to have a tremendous amount of growth here in the next five years,” Garza said. “These projects are going to bring jobs, economic growth, tax money to the city, and it offers to extend more services and exciting new developments to our citizens.”"

EXPLORE ARTICLE



A year of becoming: The Rio Grande Valley in 2026

JAMES MOORE, JANUARY 6, 2026 (RIO GRANDE VALLEY BUSINESS JOURNAL)

Entering the year 2026, the Rio Grande Valley (RGV) is navigating what appears to some analysts as a complex transition from rapid, pandemic-era growth to a more structured, industrial-focused economy.

Our reporting over the last quarter of 2025, and some of the work of other regional publications, suggests the upcoming year will be defined by massive infrastructure completions, a slightly surprising pivot in cross-border trade dynamics, and the burgeoning aerospace and energy sector in the Port of Brownsville.

Infrastructure is perhaps the most visible story of 2026, and there aren’t many projects bigger than efforts to expand bridges to manage the burgeoning bi-national trade of the Valley.

EXPLORE ARTICLE



Retail Surge Underway As Construction Reshapes Tiny Texas Town

DINA AREVALO, MARCH 29, 2026 (MYSA)

A tiny border town in deep South Texas is quickly transforming into a shopping hub thanks to millions in investment by some big-name retailers.

Soon Peñitas, a small town in the Rio Grande Valley of about 6,400 people, will go from being a blink-and-you-miss it spot on the highway to a shopping destination.Chief among the retailers investing in the western Hidalgo County town is home improvement juggernaut Home Depot. Last June, the big box store known for its cheerfully bright orange and white logo embarked on a \$20.2 million plan to construct what will become just the fifth Home Depot store in the Valley...

Less than a mile away, site preparation is still under way for another retail development project that launched last summer. It’s called Peñitas Crossing. The 58-acre site will be built in phases, and several budget-conscious retailers have already signed up to open stores in Phase 1 of the development.

EXPLORE ARTICLE



It is time to recognize the Rio Grande Valley as a rising borderland metropolis

RODNEY GOMEZ, LUIS GUAJARDO, EDNA ELY-LEDESMA , JUNE 15, 2022 (KINDER)

The Rio Grande Valley (RGV), or el Valle del Rio Bravo as it is known in Mexico, is often considered a far flung collection of small-town border communities. As such, it remains largely unknown to the rest of the U.S., except when cited as one of the poorest areas in the country alongside Middle Appalachia or the Lower Mississippi Delta.

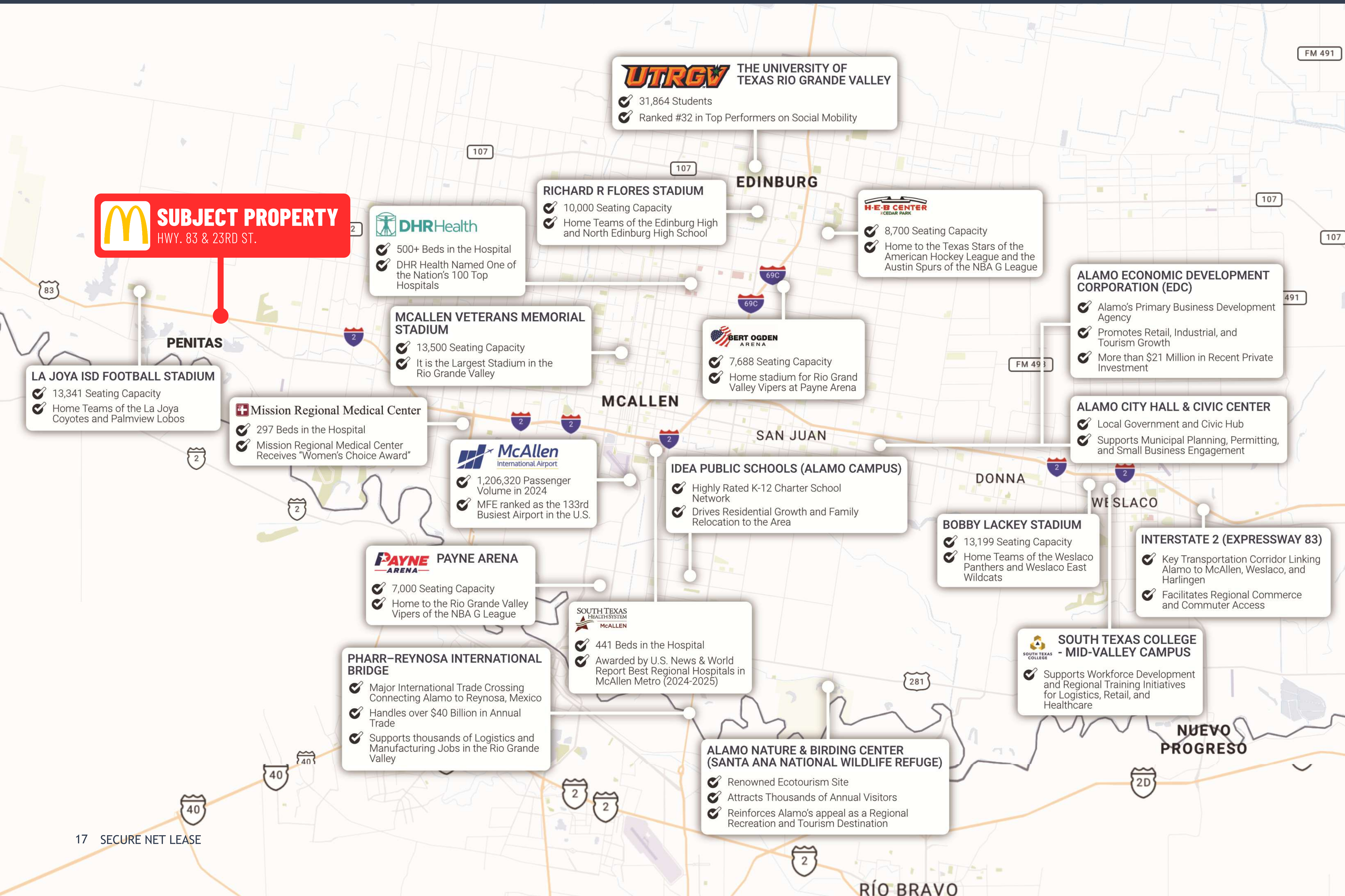
In 2020, it garnered national attention as one of the nation’s hotspots for COVID-19, appearing across a variety of media like the Washington Post and New York Times. The region has also made headlines more recently because of controversial placement of a SpaceX launch site in the Brownsville area, near the mouth of the Rio Grande River on the Gulf of Mexico. While public debate and questioning surrounding one-off projects like SpaceX is important, this article focuses on wider challenges and opportunities for the region’s urbanization.

EXPLORE ARTICLE



METRO AREA

MCDONALD'S PENITAS, TX



 **SUBJECT PROPERTY**
HWY. 83 & 23RD ST.

LA JOYA ISD FOOTBALL STADIUM

- ✓ 13,341 Seating Capacity
- ✓ Home Teams of the La Joya Coyotes and Palmview Lobos

Mission Regional Medical Center

- ✓ 297 Beds in the Hospital
- ✓ Mission Regional Medical Center Receives "Women's Choice Award"

MCALLEN VETERANS MEMORIAL STADIUM

- ✓ 13,500 Seating Capacity
- ✓ It is the Largest Stadium in the Rio Grande Valley

McAllen International Airport

- ✓ 1,206,320 Passenger Volume in 2024
- ✓ MFE ranked as the 133rd Busiest Airport in the U.S.

PAYNE ARENA

- ✓ 7,000 Seating Capacity
- ✓ Home to the Rio Grande Valley Vipers of the NBA G League

PHARR-REYNOSA INTERNATIONAL BRIDGE

- ✓ Major International Trade Crossing Connecting Alamo to Reynosa, Mexico
- ✓ Handles over \$40 Billion in Annual Trade
- ✓ Supports thousands of Logistics and Manufacturing Jobs in the Rio Grande Valley

SOUTH TEXAS HEALTH SYSTEM - MCALLEN

- ✓ 441 Beds in the Hospital
- ✓ Awarded by U.S. News & World Report Best Regional Hospitals in McAllen Metro (2024-2025)

ALAMO NATURE & BIRDING CENTER (SANTA ANA NATIONAL WILDLIFE REFUGE)

- ✓ Renowned Ecotourism Site
- ✓ Attracts Thousands of Annual Visitors
- ✓ Reinforces Alamo's appeal as a Regional Recreation and Tourism Destination

RICHARD R FLORES STADIUM

- ✓ 10,000 Seating Capacity
- ✓ Home Teams of the Edinburg High and North Edinburg High School

BERT OGDEN ARENA

- ✓ 7,688 Seating Capacity
- ✓ Home stadium for Rio Grand Valley Vipers at Payne Arena

UTRGV THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY

- ✓ 31,864 Students
- ✓ Ranked #32 in Top Performers on Social Mobility

H-E-B CENTER CEDAR PARK

- ✓ 8,700 Seating Capacity
- ✓ Home to the Texas Stars of the American Hockey League and the Austin Spurs of the NBA G League

ALAMO ECONOMIC DEVELOPMENT CORPORATION (EDC)

- ✓ Alamo's Primary Business Development Agency
- ✓ Promotes Retail, Industrial, and Tourism Growth
- ✓ More than \$21 Million in Recent Private Investment

ALAMO CITY HALL & CIVIC CENTER

- ✓ Local Government and Civic Hub
- ✓ Supports Municipal Planning, Permitting, and Small Business Engagement

BOBBY LACKEY STADIUM

- ✓ 13,199 Seating Capacity
- ✓ Home Teams of the Weslaco Panthers and Weslaco East Wildcats

INTERSTATE 2 (EXPRESSWAY 83)

- ✓ Key Transportation Corridor Linking Alamo to McAllen, Weslaco, and Harlingen
- ✓ Facilitates Regional Commerce and Commuter Access

SOUTH TEXAS COLLEGE - MID-VALLEY CAMPUS

- ✓ Supports Workforce Development and Regional Training Initiatives for Logistics, Retail, and Healthcare

CALL FOR ADDITIONAL INFORMATION

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El Segundo, CA 90245
(424) 320-2321

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TEXAS DISCLAIMER

MCDONALD'S PENITAS, TX

Approved by the Texas Real Estate Commission for Voluntary Use

Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

Information about brokerage services

Before working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties' consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

If the broker represents the owner

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written – listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information the owner knows.

If the broker represents the buyer

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

If the broker acts as an intermediary

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License Act. The broker must obtain the written consent of each party to the transaction to act as an intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

- Shall treat all parties honestly
- May not disclose that the owner will accept a price less than the asking price
- Submitted in a written offer unless authorized in writing to do so by the owner;
- May not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and
- May not disclose any confidential information or any information that a part specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions.