

**FOR SALE**

# THE HARDING BUILDING

507, 509 & 511 Main St., Oregon City, OR 97045

**Stabilized Multi-Tenant**  
Retail/Office Investment Opportunity



**PRESENTED BY CAPACITY COMMERCIAL GROUP**

*Brokers Have Ownership Interest in this Property*



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# THE HARDING BUILDING

507, 509 & 511 Main St.,  
Oregon City, OR 97045



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## DISCLAIMER

Capacity Commercial Group, LLC ("Agent") have been engaged as the exclusive agent for the sale of 507, 509 & 511 Main St., Oregon City, OR 97045 (the "Property").

The Property is being offered for sale in its "as-is, where-is" condition, and Seller and Agent make no representations or warranties as to the accuracy of the information contained in this Offering Memorandum. The enclosed materials include highly confidential information and are being furnished solely for the purpose of review by prospective purchasers of the interest described herein. Neither the enclosed materials nor any information contained herein is to be used for any other purpose or made available to any other person without the express written consent of Seller.

The enclosed materials are being provided solely to facilitate the Prospective Purchaser's own due diligence for which it shall be fully and solely responsible. The material contained herein is based on information and sources deemed to be reliable, but no representation or warranty, express or implied, is being made by Agent or Seller or any of their respective representatives, affiliates, officers, employees, shareholders, partners, and directors, as to the accuracy or completeness of the information contained herein. Summaries contained herein of any legal or other documents are not intended to be comprehensive statements of the terms of such documents, but rather only outlines of some of the principal provisions contained therein. Neither Agent nor Seller shall have any liability whatsoever for the accuracy or completeness of the information contained herein or any other written or oral communication or information transmitted or made available, or any action taken, or decision made by the recipient with respect to the Property. Interested parties are to make their own investigations, projections, and conclusions without reliance upon the material contained herein.

Seller reserves the right, at its sole and absolute discretion, to withdraw the Property from being marketed for sale at any time and for any reason. Seller and Agent each expressly reserves the right, at its sole and absolute discretion, to reject any and all expressions of interest or offers regarding the Property and/or to terminate discussions with any entity at any time, with or without notice. This Offering Memorandum is made subject to omissions, correction of errors, change of price or other terms, prior sale or withdrawal from the market without notice. Agent is not authorized to make any representations or agreements on behalf of Seller.

Seller shall have no legal commitment or obligation to any interested party reviewing the enclosed materials, performing additional investigation and/or making an offer to purchase the Property unless and until a binding written agreement for the purchase of the Property has been fully executed, delivered and approved by Seller, and any conditions to Seller's obligations thereunder have been satisfied or waived.

By taking possession of and reviewing the information contained herein, the recipient agrees that (a) the enclosed materials and their contents are of a highly confidential nature and will be held and treated in the strictest confidence and shall be returned to Agent or Seller promptly upon request; (b) the recipient shall not contact employees or tenants of the Property directly or indirectly regarding any aspect of the enclosed materials or the Property without the prior written approval of Seller or Agent and (c) no portion of the enclosed materials may be copied or otherwise reproduced without the prior written authorization of Seller or Agent.

If you have no interest in the Property at this time, please destroy or return this Offering Memorandum immediately to the exclusive listing brokers.



## Stabilized Multi-Tenant Retail/Office Investment Opportunity

The Diamond Team at **Capacity Commercial Group** is pleased to exclusively present for sale the **Harding Building**, a stabilized multi-tenant office/retail property located in the heart of downtown Oregon City.

- Prime Downtown Oregon City Location
- Property features two ground floor retail suites, four upstairs office suites, and 19 micro-studio offices
- Stabilized asset with strong in-place income
- Property built in 1968
- Property is 95% Leased

### PROPERTY OVERVIEW

<b>Address</b>	507, 509 & 511 Main St., Oregon City, OR 97045
<b>Sale Price</b>	\$3,520,000
<b>Building Size</b>	16,826 SF (\$209/SF)
<b>NOI</b>	\$237,558
<b>Cap Rate</b>	6.75%



## PROPERTY OVERVIEW

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<b>Sale Price</b>	\$3,520,000
<b>NOI</b>	\$237,558
<b>Cap Rate</b>	6.75%
<b>Building Size</b>	16,826 (\$209/SF)
<b>Gross Land Area</b>	6,747 SF
<b>Zoning</b>	MUD (Mixed-Use Downtown District)
<b>Retail Spaces</b>	2
<b>Office Spaces</b>	4
<b>Micro-Studio Spaces</b>	19

The Diamond Team at **Capacity Commercial Group** is pleased to exclusively present for sale the **Harding Building**, a fully stabilized multi-tenant office/retail property located in the heart of downtown Oregon City.

The building features a diverse mix of office and retail users, along with 19 micro studio spaces, creating a dynamic tenant base and consistent activity throughout the property.

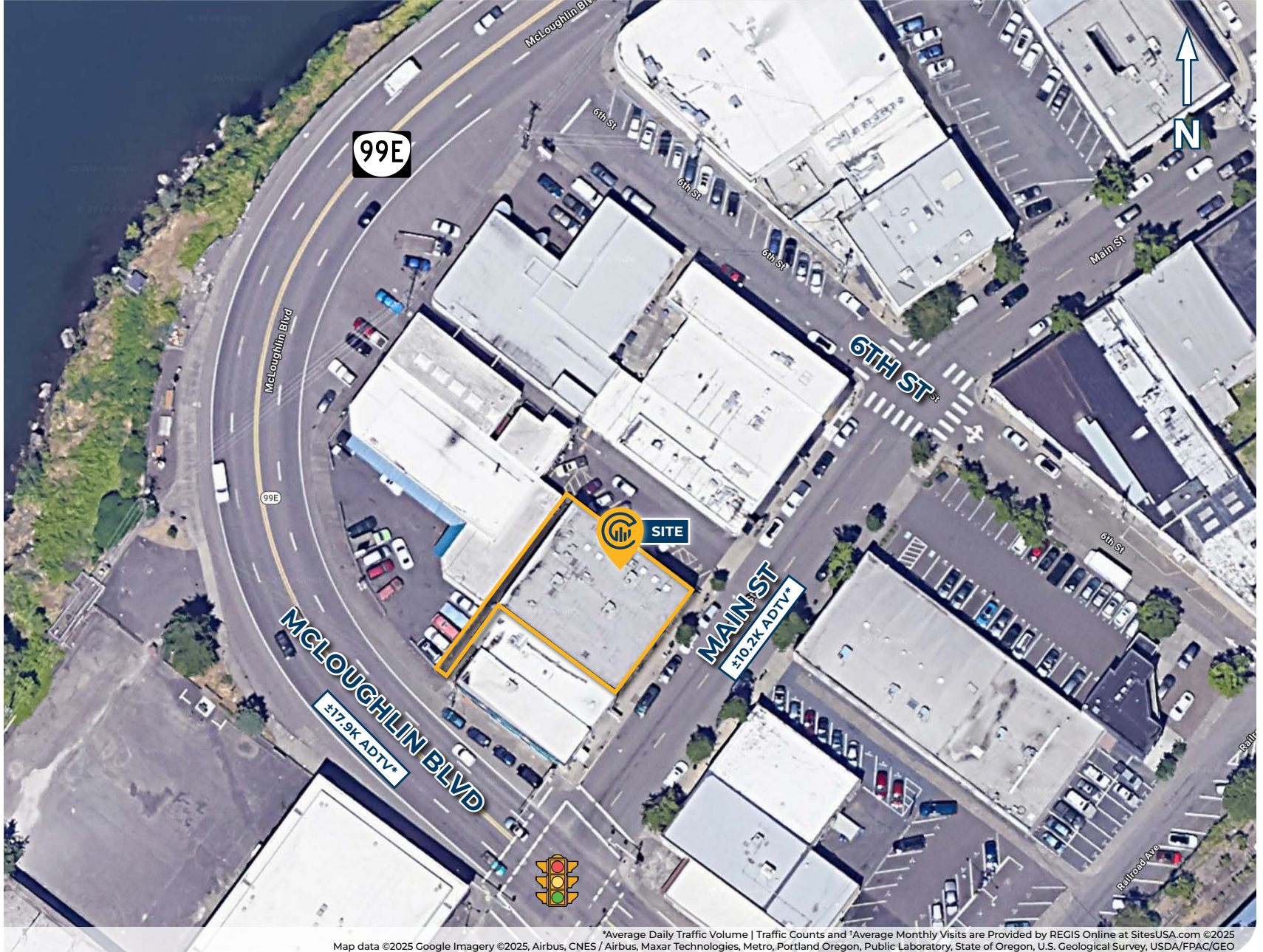
The property is 95% leased and surrounded by a vibrant mix of retail, restaurant, and office users, benefiting from strong foot traffic and convenient access to many of Oregon City's amenities.

### Nearby Highlights

- Ranees on Main
- McMenemy's Oregon City
- Canard Oregon City
- The Hive Social
- Oregon City Brewing Company & Foodcarts
- The Highland Stillhouse
- Corner 14 Foodcarts Spirits & Brew
- McLoughlin House
- Oregon City Public Library

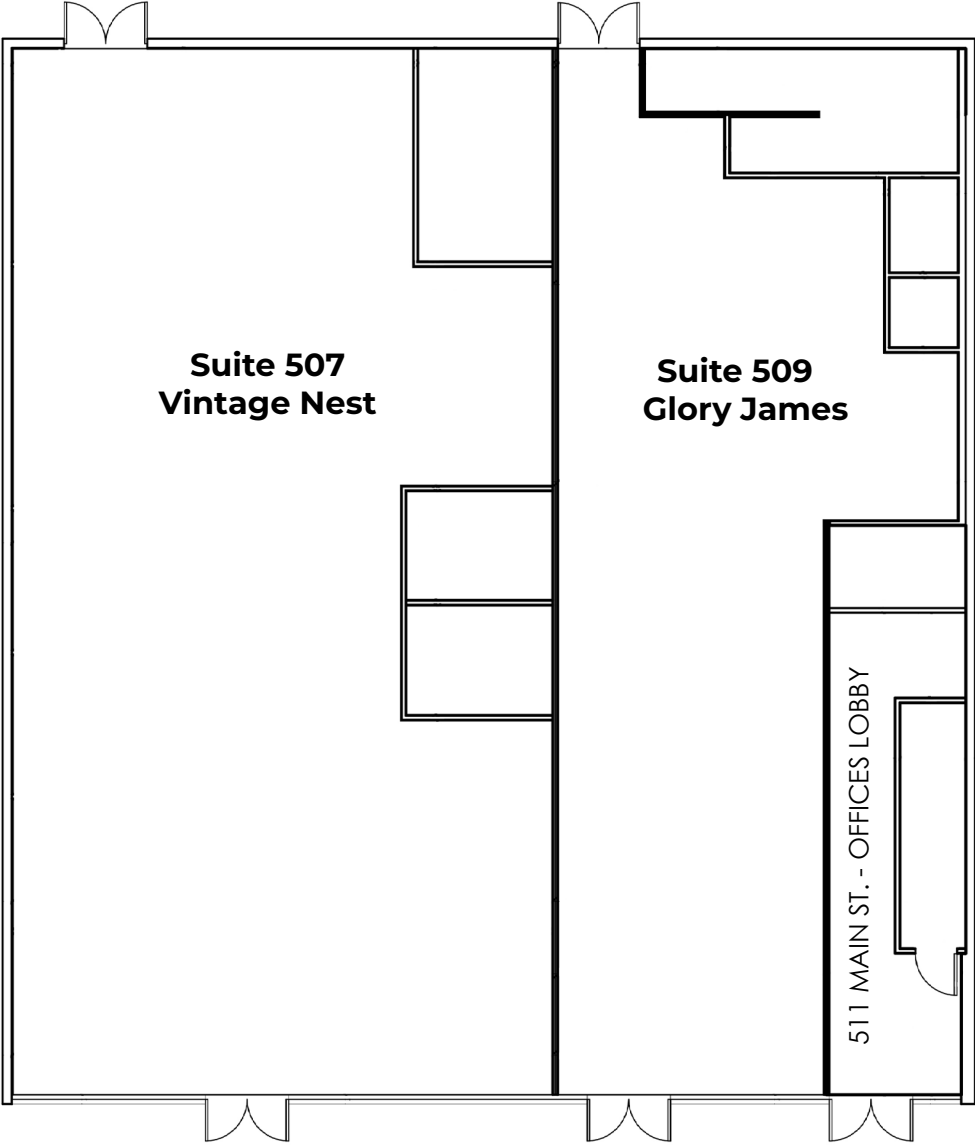


# Site Plan



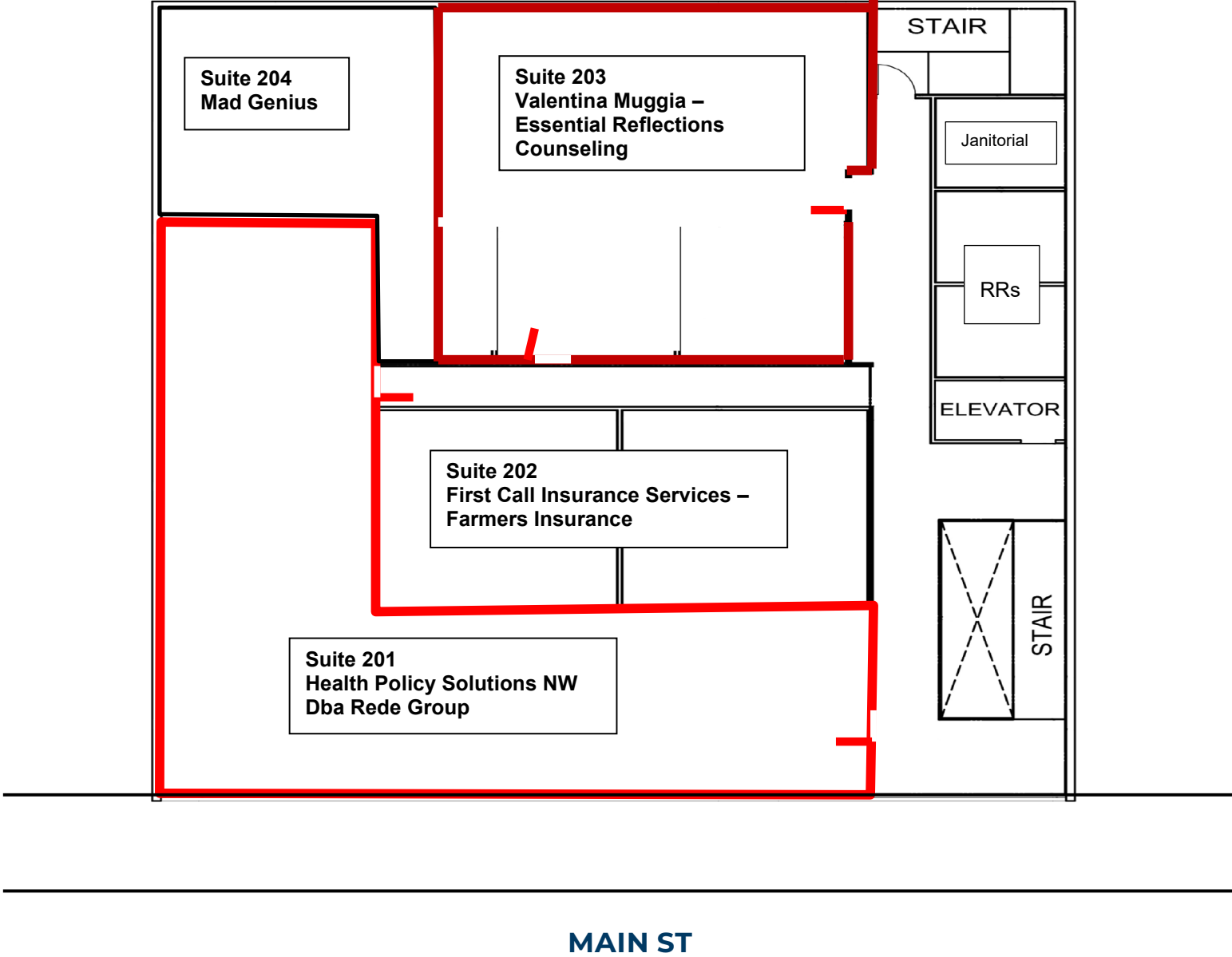
Map data ©2025 Google Imagery ©2025, Airbus, CNES / Airbus, Maxar Technologies, Metro, Portland Oregon, Public Laboratory, State of Oregon, U.S. Geological Survey, USDA/FPAC/GEO  
\*Average Daily Traffic Volume | Traffic Counts and \*Average Monthly Visits are Provided by REGIS Online at SitesUSA.com ©2025

# Floor Plans: Retail



← WILLAMETTE FALLS & BLUE HERON  
23 ACRE REDEVELOPMENT SITE  
1/2 BLOCK

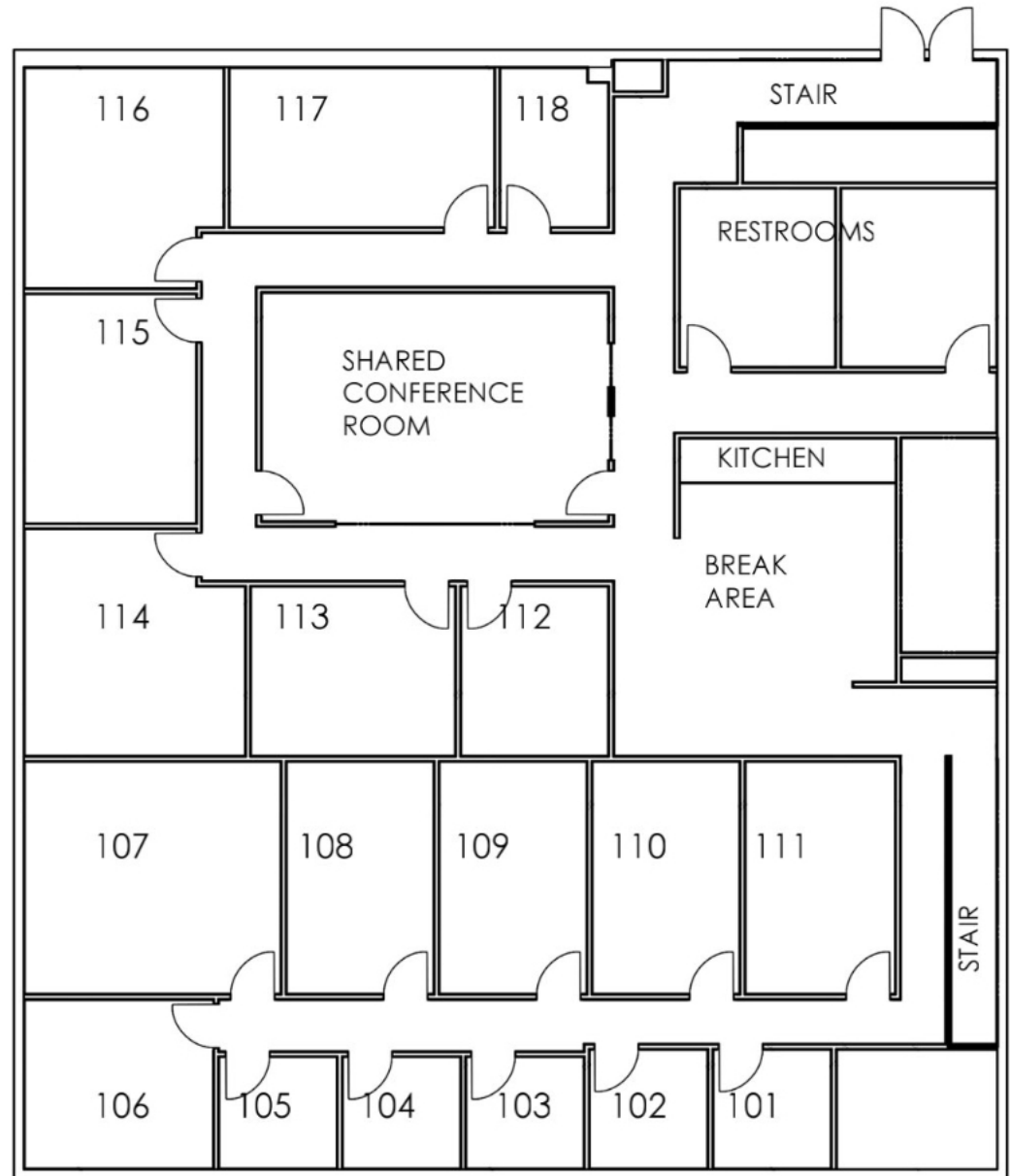
# Floor Plans: 2nd Floor





# Floor Plans: Office

101	Ben Looney - Growth Commercial Capital
102	Nicholas Ray
103	Sherrri Dyck Make it Shine
104	Preston Roth Home Instead
105	Scott Campbell - Sierra Charlie Aviation
106	Nora Kosztolanyi
107	Red Lodge Services
108	Red Lodge Services
109	Available
110	Adrian Pollack - Poll Medical
111	Red Lodge Services
112	Meagan Valdez
113	Trusted Investments Mike Villamor
114	Derek Reeder - Slinky Strings
115	Jessica Christensen
116	Fox Beauty Studios
117	Susan Shahbaz-Arami
118	Sue Stein - Stein Investments, Inc.







# MAIN STREET OREGON CITY

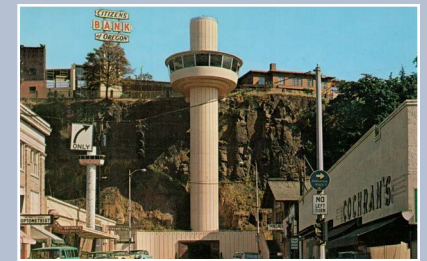


Located in the heart of Oregon City, Main Street blends historic charm with everyday energy, offering a walkable mix of local shops, restaurants, and services. Recognized with the Great American Main Street Award in 2018, Main Street reflects a strong track record of community-driven economic development, historic preservation, and a vibrant downtown experience.

Right next to Main Street, Willamette Falls, the second-largest waterfall in the U.S. by volume, offers a scenic focal point that attracts visitors from across the region and enhances the character of the surrounding area. Also just steps away is the Oregon

City Municipal Elevator, which was built in 1915 and stands 130 feet tall; it remains the only "vertical street" in North America and one of just four municipal elevators in the United States, adding to the district's unique identity and accessibility.

The future of the waterfront is taking shape with the planned tumwata village development, a mixed-use project bringing retail, office, hospitality, and cultural spaces to the area. As Main Street continues to grow, the district is poised to become more active, accessible, and attractive for businesses, residents, and visitors.



**Municipal Elevator.** The Downtown Oregon City Municipal Elevator is a remarkable piece of history that offers both convenience and breathtaking views.

Standing as a testament to the city's pioneering spirit, this iconic elevator has become a beloved landmark, connecting the lower and upper levels of the downtown area since its original completion in 1915 and its famous redesign in 1955.

## PROPERTY PROFORMA

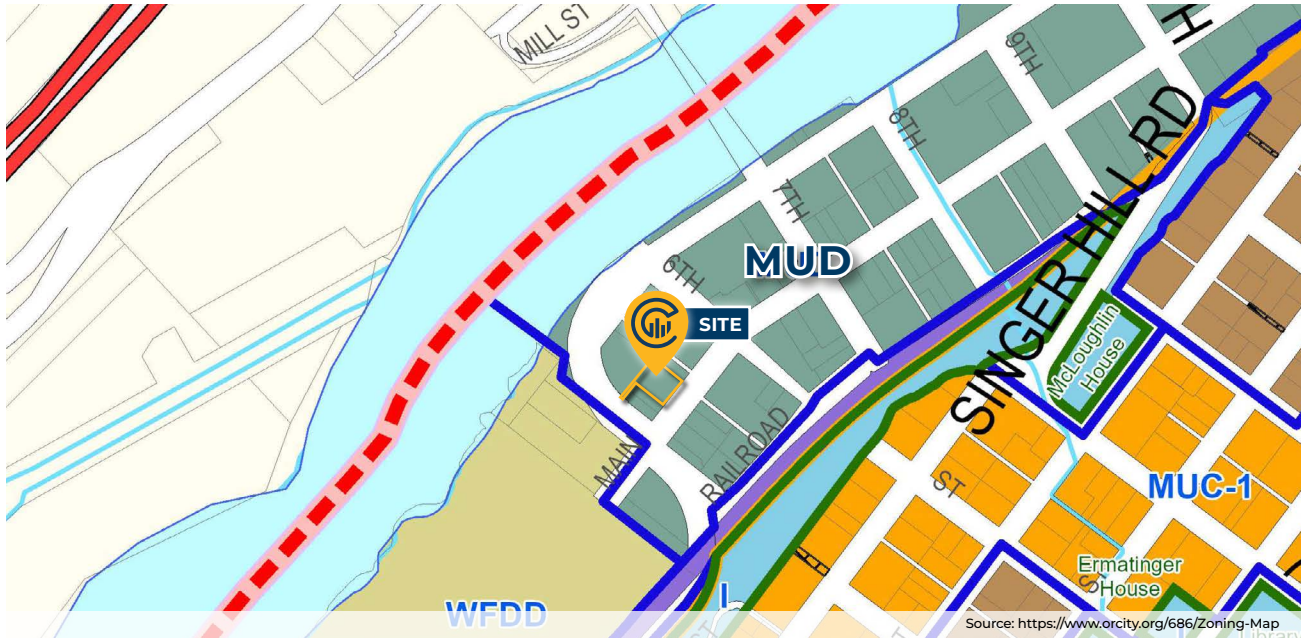


FINANCIALS

<b>PRICE</b>		<b>\$3,520,000</b>
<b>Stabilized Cap on Current Rents @ 95%</b>		<b>6.75%</b>
Price Per Foot	16,826 SF	\$209

<b>Stabilized Net Operating Income Summary</b>		
<b>Scheduled Income</b>	<b>Per SF</b>	
Scheduled Stabilized Rent:	\$19.53	\$328,615
Plus: Utility Reimbursement	\$0.62	\$10,500
Plus: Internet Reimbursement	\$0.57	\$9,600
<b>Equals: Scheduled Gross Income</b>	<b>\$20.72</b>	<b>\$348,715</b>
Vacancy Rate (5% of Gross Rent)	5%	\$(17,436)
<b>Equals: Effective Gross Income (EGI)</b>	<b>\$20.72</b>	<b>\$331,279</b>
<b>Less: 2026 OPERATING EXPENSES</b>	<b>Per SF</b>	<b>2026 Budget Expenses</b>
CAMS	\$1.72	\$28,970
Utilities	\$1.22	\$20,500
Property Taxes	\$1.07	\$18,000
Insurance	\$0.77	\$13,000
Management Fee	4%	\$13,251
<b>Total Operating Expenses</b>	<b>\$5.57</b>	<b>\$93,721</b>
<b>Equals: STABILIZED NET OPERATING INCOME</b>	<b>\$14.12</b>	<b>\$237,558</b>

THIS PROFORMA IS BASED ON ASSUMPTIONS AND OWNERS AND CAPACITY COMMERCIAL GROUP DO NOT GUARANTEE THESE NUMBERS AN BUYER TO DO THEIR OWN DUE DILIGENCE



City of Oregon City	
GEOGRAPHIC INFORMATION SYSTEM	
Zoning Map	
Ordinance No. 08-1014	
Adopted July 1, 2009	
Most recent Zoning update shown is GLUA-25-031 ZC-25-0001 (effective date: 9/17/2025)	
ZONING DESIGNATIONS	
<b>Low Density Residential Districts</b>	
R-10	3.5 - 4.4 du/acre
R-8	4.4 - 5.4 du/acre
R-6	5.8 - 7.3 du/acre
<b>Medium Density Residential Districts</b>	
R-5	7.0 - 8.7 (or max 25 if Townhouse) du/acre
R-3.5	10.0 - 12.4 (or max 25 if Townhouse) du/acre
<b>High Density Residential District</b>	
R-2	17.4 - 26.2 du/acre
<b>Other Zoning Designations</b>	
MUC-1	Mixed Use Corridor 1
MUC-2	Mixed Use Corridor 2
MUD	Mixed Use Downtown
MUE	Mixed Use Employment
WFDD	Williamette Falls Downtown District
C	General Commercial
HC	Historic Commercial
NC	Neighborhood Commercial
GI	General Industrial
CI	Campus Industrial
I	Institutional
County	County

For further information on zoning, please call the Oregon City Planning Division at (503) 722-3789.

### Chapter 17.34 - MUD MIXED-USE DOWNTOWN DISTRICT

#### 17.34.020 - Permitted uses.

- Permitted uses in the MUD district are defined as:
- A. Banquet, conference facilities and meeting rooms;
  - B. Bed and breakfast/boarding houses, hotels, motels, and other lodging facilities;
  - C. Child care centers and/or nursery schools;
  - D. Indoor entertainment centers and arcades;
  - E. Health and fitness clubs;
  - F. Medical and dental clinics, outpatient; infirmary services;
  - G. Museums, libraries and cultural facilities;
  - H. Offices, including finance, insurance, real estate and government;
  - I. Outdoor markets, such as produce stands, craft markets and farmers markets that are operated on the weekends and after six p.m. during the weekday;
  - J. Postal services;
  - K. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment;
  - L. Multi-family residential, triplexes and quadplexes;
  - M. One or two units in conjunction with a nonresidential use provided that the residential use occupies no more than fifty percent of the total square footage of the development;
  - N. Restaurants, eating and drinking establishments without a drive-through;
  - O. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
  - P. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores provided the maximum footprint of a freestanding

- ing building with a single store does not exceed sixty thousand square feet (a freestanding building over sixty thousand square feet is allowed as long as the building contains multiple stores);
  - Q. Seasonal sales;
  - R. Residential care facilities, assisted living facilities; nursing homes and group homes for over fifteen patients licensed by the state;
  - S. Studios and galleries, including dance, art, photography, music and other arts;
  - T. Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers;
  - U. Veterinary clinics or pet hospitals, pet day care;
  - V. Home occupations;
  - W. Research and development activities;
  - X. Temporary real estate offices in model dwellings located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
  - Y. Transportation facilities;
  - Z. Live/work dwellings;
  - AA. After-hours public parking;
  - AB. Marinas;
  - AC. Religious institutions;
  - AD. Mobile food units outside of the downtown design district.
- (Ord. No. 08-1014, §§ 1–3(Exhs. 1–3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019; Ord. No. 22-1001, 1(Exh. A), 6-1-2022)

#### 17.34.030 - Conditional uses.

- The following uses are permitted in this district when authorized and in accordance with the process and standards contained in OCMC 17.56:
- A. Drive-through facilities;
  - B. Emergency services;
  - C. Hospitals;
  - D. Outdoor markets that do not meet the criteria of OCMC 17.34.020.I;
  - E. Parks, playgrounds, play fields and community or neighborhood centers;
  - F. Parking structures and lots not in conjunction with a primary use on private property, excluding after-hours public parking;
  - G. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies and specialty stores in a freestanding building with a single store exceeding a foot print of sixty thousand square feet;
  - H. Public facilities such as sewage and water treatment plants, water towers and recycling and resource recovery centers;
  - I. Public utilities and services such as pump stations and sub-stations;
  - J. Distributing, wholesaling and warehousing;
  - K. Gas stations;
  - L. Public and/or private educational or training facilities;
  - M. Stadiums and arenas;
  - N. Passenger terminals (water, auto, bus, train), excluding bus stops;
  - O. Recycling center and/or solid waste facility;
  - P. Shelters, except within the downtown design district.

(Ord. No. 08-1014, §§ 1–3(Exhs. 1–3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

#### 17.34.040 - Prohibited uses.

- The following uses are prohibited in the MUD district:
- A. Kennels;
  - B. Outdoor storage and sales, not including outdoor markets allowed in OCMC 17.34.030;
  - C. Self-service storage;
  - D. Single-family detached residential units, townhouses and duplexes;
  - E. Motor vehicle and recreational vehicle repair/service;
  - F. Motor vehicle and recreational vehicle sales and incidental service;
  - G. Heavy equipment service, repair, sales, storage or rental (including but not limited to construction equipment and machinery and farming equipment);
  - H. Marijuana production, processing, wholesaling, research, testing, and laboratories;
  - I. Mobile food units within the downtown design district unless a special event has been issued.
- (Ord. No. 08-1014, §§ 1–3(Exhs. 1–3), 7-1-2009; Ord. No. 16-1008, § 1(Exh. A), 10-19-2016, ballot 11-8-2016; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019; Ord. No. 22-1001, 1(Exh. A), 6-1-2022)

[View Zoning Code Online](#)



# TUMWATA VILLAGE REDEVELOPMENT



## tumwata village Redevelopment Project

The Tribe's 23-acre property at tumwata/Willamette Falls is full of promise, and we are taking it in a new and hopeful direction.

Over the past 160 years, the site has been transformed by heavy industry and altered into something far from its original, natural state. But the Tribe is now taking the site down a new path.

We are going to heal this land and restore the natural landscape. We are going to expand access to the falls for everyone, share the story and culture of the Grand Ronde and add thoughtful new development that will revitalize the entire area.

[CLICK TO VIEW MORE](#)



[REDEVELOPMENT FLYER](#)

<https://www.tumwatavillage.org>



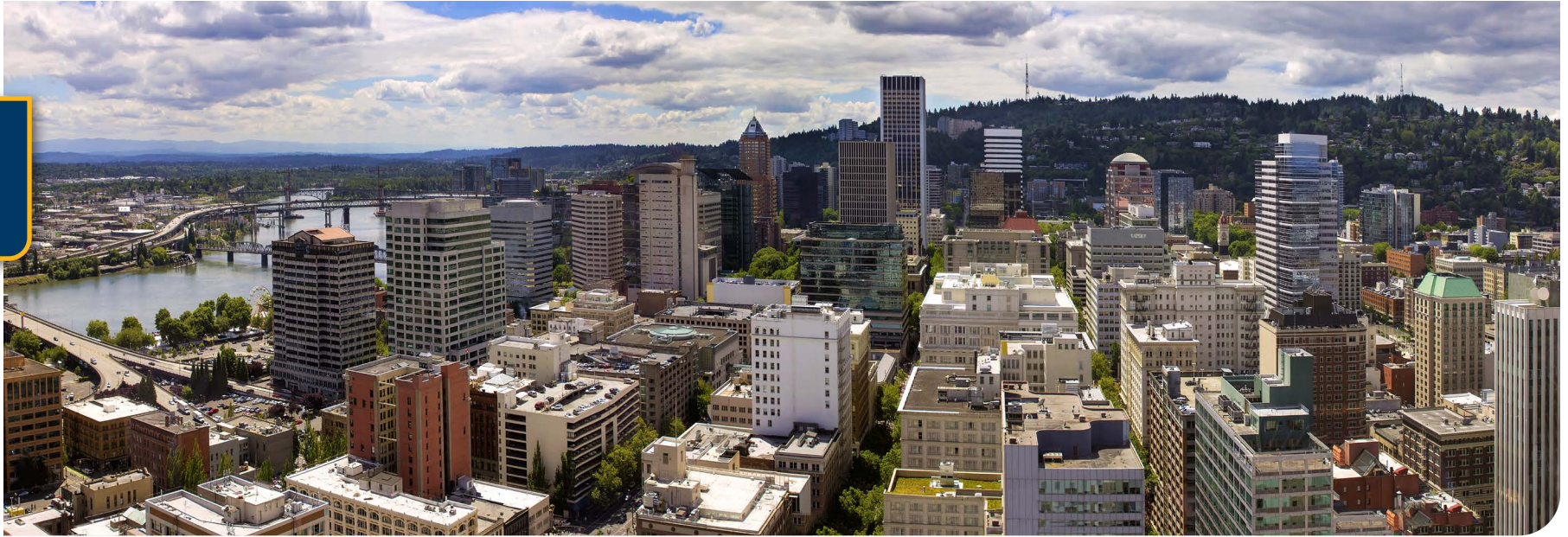
Restoration Area



Potential Development Scenario



# WHY PORTLAND



**Portland's geographic beauty, economic vibrancy, commitment to sustainability, and rich cultural scene, makes it a superb place to work and live.**

**Its diverse neighborhoods, collaborative spirit, and accessibility makes it a prime destination for both residents and businesses. These factors collectively make Portland a compelling choice for future investment.**

### Geography

Nestled at the confluence of the Willamette and Columbia Rivers in the Pacific Northwest, Portland, Oregon, is a city of diverse nicknames—*Bridgetown*, *the City of Roses*, *Stumptown*—all indicative of its unique character, rich history, and stunning geographic beauty.

Portland stands out as the largest economic and population center on the West Coast between San Francisco and Seattle. Ranked as the nation's 26th largest Metropolitan Statistical Area (MSA), Portland's vibrant downtown and waterfront serve as the core of a metropolitan region hosting more than 2.5 million people.

### Economy

The city has attracted an impressive in-migration of technology-centric firms such as **Microsoft**, **Google**, **Mozilla**, and **Squarespace**, alongside organic growth from local giants like **Nike**, **Adidas**, **Intel**, and **Mentor Graphics**. This influx has fueled economic growth and contributed to record-low unemployment rates.

Known for encouraging entrepreneurship, fostering diversity, and promoting sustainability, Portland's eclectic culture draws in talented people who often become long-term residents.

Esteemed educational institutions, including **Oregon Health & Science University (OSHU)**, **Portland State University** and **Reed College**, contribute to the city's intellectual capital and education hub identity.

### Transit

The city's compact footprint and commitment to urban design provide convenient proximity to downtown, easy access to **Portland International Airport (PDX)**, and a plethora of outstanding amenities.

An extensive streetcar network and bike lanes, in addition to TriMet buses and MAX light rail, contribute to the overall accessibility of the city. These alternative commute options, a preference among young professionals, ultimately save time and money for both employers and employees in the region.

### Life & Culture

Livability and affordability are hallmarks of the Portland area, making it an ideal destination for those seeking a high quality of life. The region boasts abundant natural beauty, a mild climate, and a wide variety of housing options. The city's commitment to sustainability, seen in its extensive public transportation system and eco-friendly urban planning, further enhances its overall appeal.

Portland shines as a cultural and artistic hub. A thriving artisan culture celebrated through craft breweries, distilleries, and coffee roasters emphasizes local and handmade products. The city hosts numerous theaters, galleries, and music venues, with the **Portland Art Museum** standing as a testament to its commitment to the arts.

### Culinary Scene

Culinary excellence and a thriving food scene, aptly earning Portland the nickname "*Beervana*," further contribute to its vibrant cultural identity. And let's not forget the food cart culture—Portland's food carts offer a diverse array of culinary delights, representing flavors from around the world scattered across the city in food cart pods. Strong community engagement is a hallmark, evident in various events, farmers' markets, and festivals that foster a close-knit atmosphere.



# Major Employers in the Region


The greater Portland-Vancouver-Hillsboro metro area is a West Coast cultural and economic hub. It occupies center stage in Oregon and southwest Washington’s economic performance.

Historically reliant on timber, fishing and agriculture, the area is now known as a hotbed for technology, healthcare, finance, and apparel industries.

Often called the “Silicon Forest”, the area enjoys the presence of major information and technology companies such as Intel, Hewlett-Packard, Tektronix, Siemens, Salesforce, and Boeing.

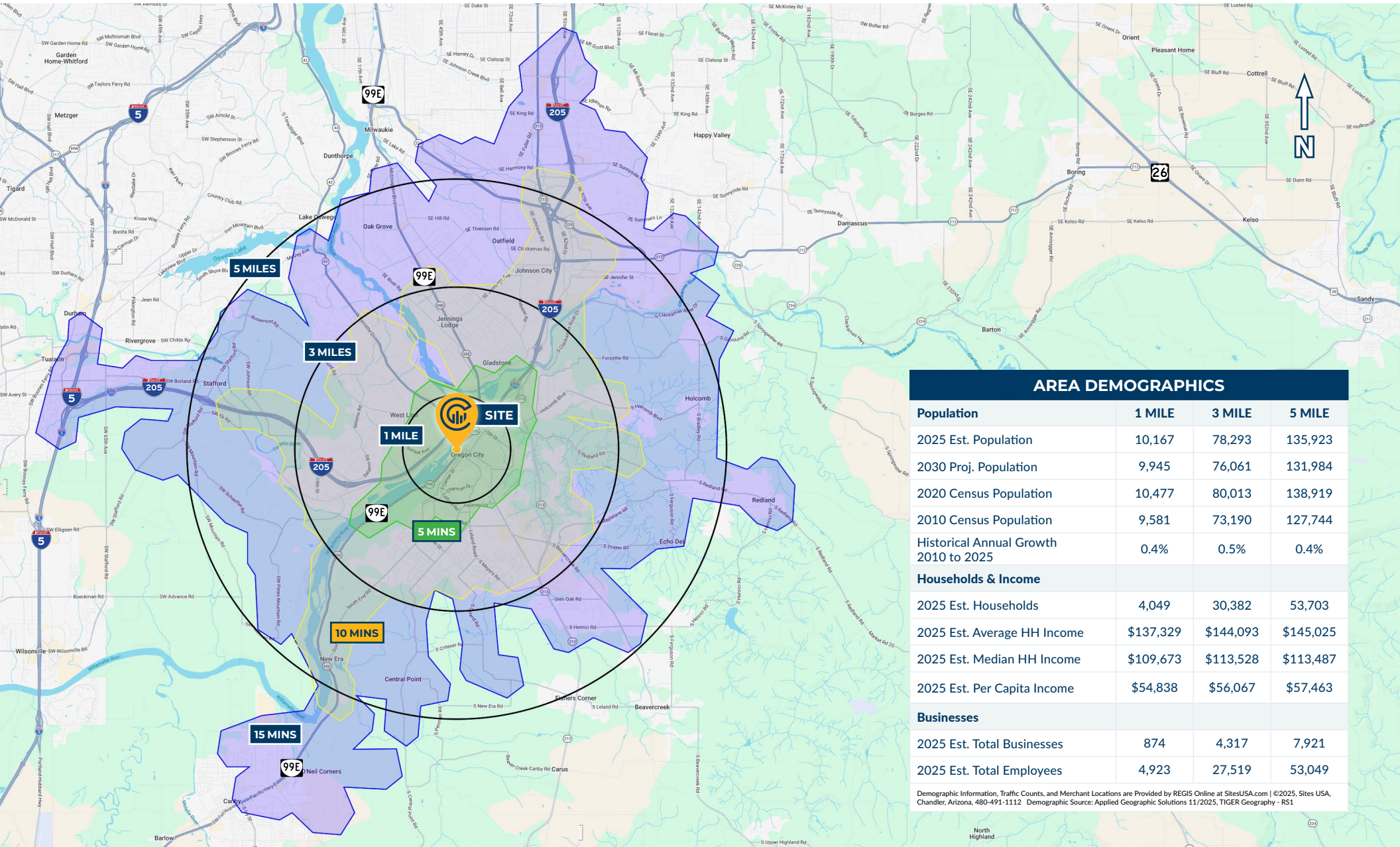
Healthcare is a major employment driver in the region. Numerous hospitals and medical research centers including OHSU, Kaiser Permanente, Providence, Legacy Health and PeaceHealth are integral to the physical and economic health of the region.

Globally-recognized sports and outdoor performance apparel companies such as Nike and Columbia Sportswear are headquartered in the area.

Portland’s proximity to Silicon Valley and Seattle has made it an attractive destination for many California and Washington-headquartered technology companies to maintain operations in the area with its business-friendly environment and growing inventory of class-A office-focused real estate.

<https://www.greaterportlandinc.com/research-center/major-employers>

# Property Drive-Time & Demographics



## AREA DEMOGRAPHICS

Population	1 MILE	3 MILE	5 MILE
2025 Est. Population	10,167	78,293	135,923
2030 Proj. Population	9,945	76,061	131,984
2020 Census Population	10,477	80,013	138,919
2010 Census Population	9,581	73,190	127,744
Historical Annual Growth 2010 to 2025	0.4%	0.5%	0.4%
<b>Households &amp; Income</b>			
2025 Est. Households	4,049	30,382	53,703
2025 Est. Average HH Income	\$137,329	\$144,093	\$145,025
2025 Est. Median HH Income	\$109,673	\$113,528	\$113,487
2025 Est. Per Capita Income	\$54,838	\$56,067	\$57,463
<b>Businesses</b>			
2025 Est. Total Businesses	874	4,317	7,921
2025 Est. Total Employees	4,923	27,519	53,049

Demographic Information, Traffic Counts, and Merchant Locations are Provided by REGIS Online at SitesUSA.com | ©2025, Sites USA, Chandler, Arizona, 480-491-1112. Demographic Source: Applied Geographic Solutions 11/2025, TIGER Geography - R51

Map data ©2025 Google Imagery ©2025, Airbus, CNES / Airbus, Maxar Technologies, Metro, Portland Oregon, Public Laboratory, State of Oregon, U.S. Geological Survey, USDA/FPAC/Geo

# Oregon Initial Agency Disclosure Pamphlet



*Consumers: This pamphlet describes the legal obligations of Oregon real estate licensees to consumers. Real estate brokers and principal real estate brokers are required to provide this information to you when they first contact you. A licensed real estate broker or principal broker need not provide the pamphlet to a party who has, or may be reasonably assumed to have, received a copy of the pamphlet from another broker.*

**This pamphlet is informational only.** Neither the pamphlet nor its delivery to you may be interpreted as evidence of intent to create an agency relationship between you and a broker or a principal broker.

## Real Estate Agency Relationships

An “agency” relationship is a voluntary legal relationship in which a licensed real estate broker or principal broker (the “agent”) agrees to act on behalf of a buyer or a seller (the “client”) in a real estate transaction. Oregon law provides for three types of agency relationships between real estate agents and their clients:

- **Seller’s Agent** – Represents the seller only.
- **Buyer’s Agent** – Represents the buyer only.
- **Disclosed Limited Agent** – Represents both the buyer and seller, or multiple buyers who want to purchase the same property. This can be done only with the written permission of all clients.

The actual agency relationships between the seller, buyer and their agents in a real estate transaction must be acknowledged at the time an offer to purchase is made. Please read this pamphlet carefully before entering into an agency relationship with a real estate agent.

## Definition of “Confidential Information”

Generally, licensees must maintain confidential information about their clients.

“Confidential information” is information communicated to a real estate licensee or the licensee’s agent by the buyer or seller of one to four residential units regarding the real property transaction, including but not limited to price, terms, financial qualifications or motivation to buy or sell. “Confidential information” does not mean information that:

1. The buyer instructs the licensee or the licensee’s agent to disclose about the buyer to the seller, or the seller instructs the licensee or the licensee’s agent to disclose about the seller to the buyer; and
2. The licensee or the licensee’s agent knows or should know failure to disclose would constitute fraudulent representation.

## Duties and Responsibilities of a Seller’s Agent

Under a written listing agreement to sell property, an agent represents only the seller unless the seller agrees in writing to allow the agent to also represent the buyer.

An agent who represents only the seller owes the following affirmative duties to the seller, the other parties and the other parties’ agents involved in a real estate transaction:

1. To deal honestly and in good faith;
2. To present all written offers, notices and other communications to and from the parties in a timely manner without regard to whether the property is subject to a contract for sale or the buyer is already a party to a contract to purchase; and
3. To disclose material facts known by the agent and not apparent or readily ascertainable to a party.

A seller’s agent owes the seller the following affirmative duties:

1. To exercise reasonable care and diligence;
2. To account in a timely manner for money and property received from or on behalf of the seller;
3. To be loyal to the seller by not taking action that is adverse or detrimental to the seller’s interest in a transaction;
4. To disclose in a timely manner to the seller any conflict of interest, existing or contemplated;
5. To advise the seller to seek expert advice on matters related to the transaction that are beyond the agent’s expertise;
6. To maintain confidential information from or about the seller except under subpoena or court order, even after termination of the agency relationship; and
7. Unless agreed otherwise in writing, to make a continuous, good faith effort to find a buyer for the property, except that a seller’s agent is not required to seek additional offers to purchase the property while the property is subject to a contract for sale.

None of these affirmative duties of an agent may be waived, except (7). The affirmative duty listed in (7) can only be waived by written agreement between seller and agent.

Under Oregon law, a seller’s agent may show properties owned by another seller to a prospective buyer and may list competing properties for sale without breaching any affirmative duty to the seller.

Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent’s expertise, including but not limited to investigation of the condition of property, the legal status of the title or the seller’s past conformance with law.

## Duties and Responsibilities of a Buyer’s Agent

An agent, other than the seller’s agent, may agree to act as the buyer’s agent only. The buyer’s agent is not representing the seller, even if the buyer’s agent is receiving compensation for services rendered, either in full or in part, from the seller or through the seller’s agent.

An agent who represents only the buyer owes the following affirmative duties to the buyer, the other parties and the other parties’ agents involved in a real estate transaction:

1. To deal honestly and in good faith;
2. To present all written offers, notices and other communications to and from the parties in a timely manner without regard to whether the property is subject to a contract for sale or the buyer is already a party to a contract to purchase; and
3. To disclose material facts known by the agent and not apparent or readily ascertainable to a party.

A buyer’s agent owes the buyer the following affirmative duties:

1. To exercise reasonable care and diligence;
2. To account in a timely manner for money and property received from or on behalf of the buyer;
3. To be loyal to the buyer by not taking action that is adverse or detrimental to the buyer’s interest in a transaction;
4. To disclose in a timely manner to the buyer any conflict of interest, existing or contemplated;
5. To advise the buyer to seek expert advice on matters related to the transaction that are beyond the agent’s expertise;
6. To maintain confidential information from or about the buyer except under subpoena or court order, even after termination of the agency relationship; and
7. Unless agreed otherwise in writing, to make a continuous, good faith effort to find property for the buyer, except that a buyer’s agent is not required to seek additional proper-

ties for the buyer while the buyer is subject to a contract for purchase.

None of these affirmative duties of an agent may be waived, except (7). The affirmative duty listed in (7) can only be waived by written agreement between buyer and agent.

Under Oregon law, a buyer’s agent may show properties in which the buyer is interested to other prospective buyers without breaching an affirmative duty to the buyer.

Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent’s expertise, including but not limited to investigation of the condition of property, the legal status of the title or the seller’s past conformance with law.

## Duties and Responsibilities of an Agent Who Represents More than One Client in a Transaction

One agent may represent both the seller and the buyer in the same transaction, or multiple buyers who want to purchase the same property, only under a written “Disclosed Limited Agency Agreement” signed by the seller and buyer(s).

Disclosed Limited Agents have the following duties to their clients:

1. To the seller, the duties listed above for a seller’s agent;
2. To the buyer, the duties listed above for a buyer’s agent; and
3. To both buyer and seller, except with express written permission of the respective person, the duty not to disclose to the other person:
  - a. That the seller will accept a price lower or terms less favorable than the listing price or terms;
  - b. That the buyer will pay a price greater or terms more favorable than the offering price or terms; or
  - c. Confidential information as defined above.

Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent’s expertise.

When different agents associated with the same principal broker (a real estate licensee who supervises other agents) establish agency relationships with different parties to the same transaction, only the principal broker will act as a Disclosed Limited Agent for both the buyer and seller. The other agents continue to represent only the party with whom the agents have already established an agency relationship unless all parties agree otherwise in writing. The principal real estate broker and the real estate licensees representing either seller or buyer shall owe the following duties to the seller and buyer:

1. To disclose a conflict of interest in writing to all parties;
2. To take no action that is adverse or detrimental to either party’s interest in the transaction; and
3. To obey the lawful instructions of both parties.

No matter whom they represent, an agent must disclose information the agent knows or should know that failure to disclose would constitute fraudulent misrepresentation.

*You are encouraged to discuss the above information with the licensee delivering this pamphlet to you. If you intend for that licensee, or any other Oregon real estate licensee, to represent you as a Seller’s Agent, Buyer’s Agent, or Disclosed Limited Agent, you should have a specific discussion with the agent about the nature and scope of the agency relationship. Whether you are a buyer or seller, you cannot make a licensee your agent without the licensee’s knowledge and consent, and an agent cannot make you a client without your knowledge and consent.*

# THE HARDING BUILDING

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The information contained herein has been obtained from sources deemed reliable. However, Capacity and its agents make no guarantee of accuracy.

*Brokers Have Ownership Interest in this Property*