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What is BrazilMax?

Put simply in our slogan, we're "The hip gringo's guide to Brazil."

BrazilMax is a travel website, but not any old travel website. We focus on what we call roots tourism – eco, cultural, historical, rural, adventure, mature and business. Our aim is to help travelers – both genuine and virtual – better understand Brazilian society and culture. We try to offer an eclectic and unpredictable mix of content that will both satisfy and stimulate curiosity. For those who actually get on a plane, we try to offer the kind of practical advice that will enrich the independent travel experience.

In an inaugural open letter to readers in July 2000, I described my original intentions this way: "This website is designed for gringos who - for whatever reason - have a special interest in Bra-

zil. These might be Brazilianists at Berkeley, investors on Wall Street, capoeeristas in Amsterdam, or expats like me who reside in the Brooklin neighborhood of São Paulo. The idea is to publish the best Brazil-related literary journalism, investigative reporting and literature out there."

I continued: "On the scale from data to information to knowledge to wisdom, BrazilMax aspires - however pretentiously - to the latter.

BrazilMax hopes to serve as a filter for high quality writing about Brazil." Think of BrazilMax as a cross between an online travel guidebook and niche magazine featuring travel writing.

by Bill Hinchberger  
Founder of BrazilMax.

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## REAL ESTATE

## How to Hire a Real Estate Agent in Brazil.

Anyone could pose as a real estate agent in Brazil. In fact, selling real estate appears to be the third most favorite national past-time after soccer and carnival. Strangers on the street, doormen, friends, friends of friends, friends of relatives, and relatives of friends, in short, anyone would gladly lend you a helping hand and charge a commission for services (or lack thereof) provided.

Actually, in Brazil, profession of a real estate broker is strictly regulated by the Civil Code and providing real estate services without being duly registered and licensed is a misdemeanor punishable by incarceration and fine.

This is important information yet it is often of little practical value to those unfortunate individuals who have fallen victims of pseudo-brokers, incompetent brokers, and outright fraud.

As always, an ounce of prevention is worth many times a pound of cure, especially considering that this pound is very hard to come by in the first place. Of course, there are recourses that could be invoked by the injured party. Bro-

kers and agents can be reprimanded and their licenses could be suspended and revoked by CRECI – Regional Councils of Real Estate Professionals; real estate agents are also legally and financially responsible for their actions through civil and criminal legal systems. Needless to say that obtaining satisfaction or justice could take a very long time as well as be extremely difficult, costly, and stressful.

Information and knowledge are often the best protectors of interests and rights in any situation. Many times more so in real estate purchase arrangements that take place in Brazil.

Let us look at the professional qualifications, responsibilities and rights that real estate agents have in Brazil. Our first step is to learn how to avoid unscrupulous individuals who pose as brokers and who often cause serious financial and emotional damage to their unsuspecting clients. We will then look at the practical aspects of working with a real estate agent, and, finally, we should explore the steps that can be taken to protect rights and property of a client.

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# Top 14 Places to Visit in Rio de Janeiro

by Alexandre Raposo

Rio de Janeiro - *Editors note: A true carioca, writer and journalist Alexandre Raposo has a sense of humor about his native Rio de Janeiro.*

1. **MANGUEIRA HILL BY NIGHT:** Besides the pagode, don't miss the stray bullets show. Too bad that Dona Zica has passed away because her feijoada was a blast.

2. **AN OUTING TO VILAR DOS TELES:** The state's dengue breeding hotspot. Worth a visit. The clouds of mosquitoes form marvelous abstract patterns in the putrid air.

3. **AN AFTERNOON IN BANGU:** When the thermometers hit 40 degrees centigrade elsewhere, it's 55 in Bangu. If you're an astronaut, you can start training for the first manned-expedition to Mercury. If you're lucky, you can view a spectacular escape from the world's most vulnerable maximum-security prison.

4. **THE SIDEWALK IN THE GLÓRIA DISTRICT:** If you're a switch-hitter, this is the place. Bilingual transvestites. Complimentary rubbers.

5. **DOWNTOWN:** The street vendor riots are spectacular, comparable, perhaps, to the Salmon runs in the Yukon. Total gonzo. Everybody slugging it out. Make an appointment with the civil defense corps to request a custom police raid.

6. **THE YELLOW AND RED LINES:** Remember those old Westerns? Right. On these two expressways, you can relive that scene where the stagecoach gets attacked by a band of wild and bloodthirsty Indians. Bulletproof car required.

7. **THE TRAIN FROM CENTRAL STATION:** Radical tourism at its best! Com visit the Baixada Fluminense suburbs in a train jammed with smelly and underpaid people. The final stop is in Vasconcelos, but if you make it alive as far as Coelho Neto, you win a special prize – a chance to dispute a train surfing championship with the locals.

8. **ANY POLICE STATION:** Do you like to watch violent and shocking scenes? Forget those dumb karate movies. The Rio police stations have the real thing. As the cops like to say, "This is where a child cries and not even his mother hears."

9. **THE STATE ASSEMBLY:** A natural monument of humanity. The world's largest protected area for corrupt bums and jerks. Worth checking out.

10. **PORRINHA ON THE RIO-NITERÓI FERRY** – For those who want a crash course in carioca hustling. At the entrance to the ferries,

there's always a nice guy who suggests to some unsuspecting knave "a game of porrinha to pass the time." [Porrinha is a game of chance whereby players hide a certain number of objects in one hand as each player tries to guess the total number in all hands.] Other nice guys gather around, but in fact they're in cahoots with the first guy. If he's lucky, the victim gets away with the clothes on his back after being cleaned out by the gang. In the worst case scenario, he's thrown into Guanabara Bay and has to swim back to shore.

11. **THE "NICKEL TRAP" SLOT MACHINES:** In any corner bar, anytime of the day, it is really cool to watch useless bums who crowd around the Paraguayan slot machines that have infested the Cidade Maravilhosa. If you're patient, you can have a great time because fights always break out – either among the gamblers themselves or between them and the owner of the bar over the coins swallowed by the machine. The noise is unbearable, but the laughs are worth the trouble.

12. **STREET CARNIVAL:** In times gone by, this party was pretty lame, with organized bands playing Carnival marches, costumed revelers, confetti, streamers, and lança-perfume (squirt bottles of perfumed ether). Today, thanks to social and technological evolution, street Carnival consists of sweaty men with no shirts (and sweaty women with no shame) seated on folding chairs at folding tables, eating barbecued tidbits sold by street vendors, drinking warm beer from plastic cups, listening to pagode blasted at ear-shattering levels from a loudspeaker, and observing, "Boy, that Nelson Pagodinho really is a great musician!"

13. **THE CENTRAL STATION RESTROOMS:** For those who want the real thing. There's a little of everything, much of it from the guy who sells toilet paper by the meter and rancid ham. After 10 p.m., it is no man's land. The place becomes the world's biggest bordello. I know a rather unorthodox journalist who, after Friday happy hour, goes there to relax and have a nightcap from the hose.

14. **FUNK PARTY:** A high risk area for gringos, tourists and sympathizers. Akin to eating fugu in Liberdade, the Japanese district of São Paulo, prepared by a chef from Ceará after he's thrown back a few too many sake caipirinhas. Nevertheless, if you find a good disguise and manage to survive the experience, you'll be able to say you've been to hell and back. Make sure to memorize the lyrics to the newest hit: "pocotó-pocotó-pocotó, minha eguinha pocotó. Lacraia!" [Editors note: We're not even

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# Golf in Rio de Janeiro

by Bill Hinchberger

Rio de Janeiro - A toucan came swooping down and landed on the fairway. Nobody batted an eye – except the guy from Houston. “We don’t have *any* birds on our courses,” he remarked.

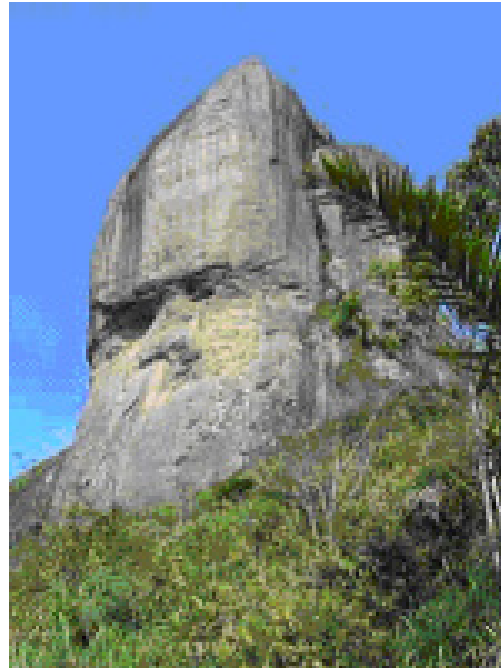
Besides the occasional toucan, on any given day one might spot on Rio’s links soccer star Ronaldo, former Central Bank President Arminio Fraga or popular musician Jorge Benjor.

Golfers in Rio de Janeiro take things like toucan and celebrity sightings for granted. What they don’t necessarily take for granted are their starting times. Unlike that other sporting export from the British Isles, soccer, golf has been slow to catch on in Brazil. Japanese immigrants and businessmen helped popularized the game in São Paulo, but in Rio de Janeiro only now is the game getting the attention it enjoys elsewhere around the world.

Rio de Janeiro has only two quality golf courses: the Gávea Golf and Country Club, in the São Conrado district, and the Itanhanga Golf Club, further south in the Barra de Tijuca district. Both are private clubs open only to members, their guests and the guests of a select group of luxury hotels.

Gávea is a short par 68, 6,000-yard, course where players can expect to use their irons more than their drivers. Founded in 1921 and designed by the Scot Arthur Morgan Davidson, then only 20, it runs between a seaside peak called Gávea Rock (Pedra da Gávea) and the Tijuca National Forest. The front nine are played at the foot of the mountains, holes 10-14 at seaside, and 15-18 back astride the hills. The par-three hole five was rated as one of the world’s most beautiful by Golf Illustrated magazine. Grand Slam winner, South African Gary Player, holds the record for the lowest round on at Gávea and PGA pros Tom Watson and Billy Casper has also played the course. The clubhouse is a colonial farmhouse. “Gavéa does not forgive easily,” says Michael Nagy, of Corporate Golf Brasil. “You have to keep focused.”

Itanhanga is a par-72, 6,600 yard course that hosted a stage of the European PGA tour four years ago. Founded in 1933, the course was played by President Getúlio Vargas, a populist



Gávea Rock towers over golfers at Rio de Janeiro’s Gávea Golf and Country Club

strongman who committed suicide in 1954. Gene Littler and Gary Player have also played there. “The greens are small,” according to Nagy. “It is target golf.”

Only in 2004 did the Brazilian government tourism board launch a program to encourage golf tours, called “See Brazil Playing Golf.” The golf crowd is now considered a “strategic segment” for Brazilian tourism, says José Francisco de Salles, research director for Embratur, a federal tourism agency.

Blueprints are ready for several public courses in Rio de Janeiro, including for a caddy’s course in the poor outskirts of town called the Baixada Fluminense. “Rio should have two or three more courses,” says Nagy.

## Golf in Rio de Janeiro

**Gávea Golf Club** - A private club, but guests at selected hotels are allowed to play. Green fee: R\$310. Estrada da Gávea, 800, São Conrado. Telephone: 3322-4141.

**Itanhanga Golf Club** - Private club but open to guests of selected hotels. Green fee on weekdays R\$250 and on weekends R\$300. Estrada da Barra, 2.005 Telephone: 2494-2507.

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## Rio de Janeiro Museum of Modern Art: The Making of the Gilberto Chateaubriand Collection

by Bill Hinchberger

Rio de Janeiro - Almost nobody walks in Brazil if they can afford to drive, but an atypical pedestrian habit helped Gilberto Chateaubriand acquire at least one gem for his collection of Brazilian modernist and contemporary art that has earned a permanent spot on the [ARTnews 200](#) annual list of the world's most important collections.

Chateaubriand was strolling on a downtown São Paulo sidewalk when an old acquaintance, a close friend of painter José Pancetti's ex-wife, called out from a gallery doorway.

After a quick introduction, the gallery owner quickly sensed the collector's lack of interest in the current exhibit. She hustled him back into a storage room. As she searched for a batch of drawings to show him something, Chateaubriand distractedly opened another cabinet. There amid dozens of tattered canvasses he spied "Urutu," a 1928 oil painting by Tarsila do Amaral. "That belongs to a friend of mine. She hates it," remarked the gallery owner. Chateaubriand left with the painting tucked under his arm.

"Later I discovered that Tarsila painted the picture, which is tremendously erotic, after a torrid night with the husband of the woman who couldn't stand it. When her husband passed away, she disposed of it as quickly as possible," chuckled Chateaubriand. Eventually the image adorned the cover of the catalogue for the "Latin American Artists of the 20th Century" show at New York's Museum of Modern Art in 1993.

A fateful rainstorm gave Chateaubriand the chance to acquire Anita Malfatti's classic works "O Farol (Monhegan)," "A Japonesa," and "India." In São Paulo for a meeting with his lawyer, Chateaubriand got caught in one of the city's characteristic downpours. He bought a newspaper to cover his head, but the rain was coming down so hard that he scampered back under cover to let the storm pass. While waiting, he read the paper. "I discovered that there was an exhibition of Anita Malfatti's works. So I called a cab and went," he said. "It was a good ex-

cuse to avoid my lawyer" – and add to the collection.

Not just footsteps and fate, but also a penchant for cultivating friendships with artists has helped Chateaubriand mount a collection of nearly 6,000 works that is so comprehensive that critic Roberto Pontual penned an authoritative book on 20th century Brazilian art based exclusively on its contents (see the link at the bottom of this page).

Chateaubriand unwittingly launched his collection in the early 1950s when a mutual friend took him to Pancetti's atelier in the northeastern city of Salvador, Bahia. "After about 10 minutes, we were like boyhood friends," Chateaubriand recalled. Pancetti commemorated the occasion by awarding Chateaubriand his "Paisagem de Itapuã," a 1953 landscape oil painting of Salvador's Itapuã beach. After the gift, Chateaubriand became a regular Pancetti customer, over the years accumulating some 30 of the artist's works.

Whether in person or in spirit, Pancetti would keep making appearances in Chateaubriand's life. In an attempt to recover from an ill-fated relationship, Pancetti moved from Salvador to Rio de Janeiro. Despite the new surroundings, the artist remained down in the dumps, unable to get his creative juices flowing. But one Saturday morning he felt inspired and called Chateaubriand: "Can you drive me out somewhere south of town?" They stopped in Gávea, now urbanized but then almost deserted. After Pancetti completed his painting, they returned to where Chateaubriand had parked his car to discover it had been broken into. "He felt so bad that he gave me the painting," recalled the collector. "Once I got an open offer for it. I told the person, 'The day I'm hanged, it is yours.' Pancetti taught me generosity."

After a falling out with his father, a media magnate and one of Brazil's most influential men of the 20th century, Chateaubriand decided that he needed cash to finance a planned move to Europe. To beef up his bank account, he sold four Pancettis. "Pancetti saved me financially," he recalled. "I had to sell, but I cry over it to this day."



Rio de Janeiro Museum of Modern Art (MAM Rio)

Fotos da internet

Since 1993 just about everything that Chateaubriand accumulated over the years can be found in the care of Rio's Museum of Modern Art (MAM). Chateaubriand's initiative revived the MAM, moribund since the late 1970s after a fire destroyed its collection. A permanent exhibit offers visitors a comprehensive short course dating to modernists like Malfatti who joined leading poets and authors of the day to shock Brazilian society with their 1922 Modern Art Week festival in São Paulo.

Chateaubriand and MAM are also liberal lenders to other museums: modernist classics have shown at the São Paulo Industrial Federation (FIESP) and selections from Chateaubriand's collection have appeared abroad at places like Washington's Art Museum of the Americas.

Before packing up and sending his collection to the MAM, Chateaubriand had for 12 years been unable to receive visitors in his spacious apartment in the fashionable Rio de Janeiro district of Leblon because all but one room was overrun by artwork.

Since MAM helped Chateaubriand clean out his apartment, guests have been treated to some excavated furnishings: a velvet chair where his father sat during Queen Elizabeth's 1952 coronation; a custom-built antique turn-of-the-century English bar; nineteenth century candle holders, adapted as lamps, from a demolished French church (the priests made Chateaubriand and fellow bidders sit through mass before the auction). Chateaubriand purchased most of the furniture during his diplomatic stints in London and Paris in the 1950s and 1960s.

When I visited the apartment in 1993, the walls exhibited what Chateaubriand said would become his permanent home exhibit. The dining room was a mini-museum of Glauco Rodrigues' irreverent paintings that satirized Brazil's 1964-85 dictatorship. These are full of Native American figures, juxtaposed with beach bums, tourists and others from Rio's central casting. Chateaubriand, a close friend of the artist, explained that many of Rodrigues' paintings recall Tarsila's conscious habit of cannibalization - the consumption of European influences to produce distinctly Brazilian works. "These don't leave here," said Chateaubriand. "I have an affective relationship with them. They are also nostalgic reminders of my diplomatic career. The foreign ministry was full of paintings of Indians."

In fact, affection ranks high among Chateaubriand's selection criteria when buying art. "One of the great pleasures of a collection is to put it together according to with your feelings, preferences, taste and attraction. The main law of collecting is attraction," he said.

Pancetti had his place on the wall, as did Rubens Gerchman, Manabu Mabe, and José Roberto Aguilar. But despite their rich adornment, the walls exhibited the eerie surgical stains of missing works by Brazilian masters

like Vicente Rego Monteiro and Emiliano Di Cavalcanti that had been transplanted to the MAM. Chateaubriand had also parted with Candido Portinari's "Paisagem de Brodosqui," a painting he loved as a boy when it was owned by his father, Assis Chateaubriand. It left the family as a gift to a Canadian businessman, who eventually took it home when he departed from Brazil. Years after Gilberto Chateaubriand gave the painting up for lost, he received a frantic call from a Rio gallery owner: "Get here quick." When he arrived, there it was - the long lost painting.

Besides "Brodosqui," the only prominent legacy from his father's collection is another Portinari, the 1959 "Cavalho," a gift that the elder Chateaubriand tried to take back after one of their frequent fallings out. The painting was prominently displayed in the Rio apartment the day I visited: "It isn't a great Portinari, but it has great symbolic value. My trophy from my battles with my father. One of the few victories I had over him."

Even some Brazilian critics mistakenly believe that Chateaubriand inherited at least the core of the collection from his father. In fact, a bitter fight over his father's inheritance left Gilberto with a smaller financial and artistic legacy than some might expect. Gilberto has funded his collecting habit from profits garnered from his orange and sugarcane farm in São Paulo state. "What determines my buying power is the price of oranges," he said. "I buy about three or four a month."

When I visited Chateaubriand's relatively modest rural farmhouse in 1993, the walls of his living room were given over to works by Gervane de Paula, born in 1961. De Paula's paintings depict regional themes (alligators are sometimes prominent) in the wetlands of his native Mato Grosso state. "It is amazing how a youngster so many kilometers from Rio de Janeiro is so well informed," Chateaubriand remarked.

Chateaubriand cultivates the friendship of emerging artists, just as he once did with Pancetti and Glauco Rodrigues and Di Cavalcanti. He will often scour the output of an artist in search of works that diverge from the norm. "Sometimes I prefer 'marginal' works - marginal in the sense that they differ in terms of the materials or themes they usually use," he said.

A self-confessed "gallery rat," Chateaubriand admits to once having attended four or five openings a week. But he prefers to track artists down in their ateliers.

Like when he acquired that first Pancetti.

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## Broker, are you a broker?

In order to become a licensed real estate agent (broker) in Brazil it is necessary to take a training course TTI (Técnico de Transações Imobiliárias), pass exams on the comprising modules, and, finally, pass the state licensing exam.

A broker can exercise profession only after obtaining TTI diploma, passing the state licensing exam, and being duly registered with the corresponding state CRECI. At this point the broker obtains a professional ID card and a CRECI registration number. The real estate broker ID card has to be carried at all times during exercise of profession and ought to be shown to anyone wishing to see it. CRECI number identifying the professional is mandatory to be listed in all advertising.

In special cases, students of TTI courses are issued intern permits that allow them to work at real estate agencies during their training.

It is fairly simple to identify a real estate professional in Brazil. Endless trouble (alas, not all of it) could be avoided by this simple, yet often overlooked step.

NOTE: If you wish to be certain that you are dealing with a legit real estate professional, ask for ID, note the name and the CRECI number.

Picareta – (literally a con artist) is a slang term often used to designate false brokers.

There are two types of CRECI licenses:

Individual license granted to a graduate of a TTI course who has passed a state licensing exam.

Note: Holders of bachelor and master level degrees in Real Estate Sciences are also eligible for CRECI inscription.

Company licenses are issued to companies that incorporate real estate related activities in the corporate bylaws as well as being headed and managed by an individual CRECI holder (real estate agency).

Note: Company CRECI can be used for advertising and legal purposes, but only individuals holding CRECI licenses can provide real estate services to clients.

What real estate agents are qualified to do.

RE brokers in Brazil are not mere sales agents. despite the fact that the primary function and the main revenue source for real estate professional remains commission derived from brokering, CRECI licensed professionals ought to be able to advise on and guide clients through most if not all the intricate details of a real estate transaction

Taking on a listing

In order to publicly advertise a property for sale (newspaper ads, web site listings, etc) it is necessary to have an exclusive listing contract.

It is an unfortunate fact that in many cases

brokers do not bother to get exclusivity nor take any steps in order to investigate or even to visit a property they are expected to sell.

In the ideal case, the broker would obtain exclusivity (lack of MLSs, competitive market, and poor working relationship with the public often result in properties advertised by a number of brokers/agencies with different prices), visit the property and conduct preliminary due diligence investigation.

Such investigation should include obtaining historical title extract (Certidão Vintenária AKA Ônus Reais and any additional documentation that could shed light on the legal status of the property and its owner(s).

It's been estimated that about 40% of properties currently on the market in Brazil have different kinds of cloud on title. Confirming that the person selling the property is actually the owner and there are no any immediate irreparable impediments to the ownership transfer should be one of the first steps of preparing a healthy listing.

The broker should make at least one visit to the property to confirm and investigate its location, integrity, and peculiarities. It is imperative to speak with the owner, neighbors, síndico (condominium administrator), and any other source that could potentially provide valuable information that could not be found on legal documentation about the property.

As a client you can contribute to increase in professionalism and combat of informality on real estate market by always making sure that the real estate professional you are working with is legit and that all the necessary preliminary steps have been taken before visiting a prospective property or allowing your property to be listed.

State professional association - CRECI (Conselho Regional de Corretores de Imóveis) could offer little but a professional reprimand and judgment by peers in cases of

Needless to say that the struggle for professional status, recognition, and regulation by professional real estate brokers and state regulating organizations has been an uphill struggle for the past 30+ years.

### Hiring a broker

Technically, a client/broker relationship begins with signing of a listing or a service provider agreement.

The set of contracts that can be signed between a broker and a client is generally known as: CONTRATO DE INTERMEDIÇÃO IMOBILIÁRIA (Real Estate Brokerage Service Contract).

The following types of contracts are recognized:

CONTRATO DE INTERMEDIÇÃO IMOBILIÁRIA PARA FINS DE VENDA

Listing Contract

CONTRATO DE INTERMEDIÇÃO IMOBILIÁRIA PARA FINS DE COMPRA

Buyer Agency Agreement

CONTRATO DE INTERMEDIÇÃO IMOBILIÁRIA PARA FINS DE LOCAÇÃO

Property rent authorisation

CONTRATO DE INTERMEDIÇÃO IMOBILIÁRIA PARA FINS DE PERMUTA

Property barter authorisation

CONTRATO DE INTERMEDIÇÃO IMOBILIÁRIA PARA FINS DE ADMINISTRAÇÃO IMOBILIÁRIA

Property Administration Agreement

Despite the fact that service contract is obligatory (by professional and legal standards) between a client and a real estate broker, there have been numerous cases where courts have granted commission rights to the brokers in cases where no such contract existed.

Listing contract

Listing contract can be exclusive or non-exclusive. Since there are no MLS in Brazil, most of the listing contracts by default grant exclusive rights to sell to the listing broker or agency (commission is due even if the seller finds buyer directly) for the duration of the contract. Usually such contracts are signed for a period of 90 business days. If the seller desires to grant only EXCLUSIVE AGENCY contract (commission is only due if the listing agent finds buyer), the clause has to be explicitly stated and carefully worded.

If the transaction takes place after the expiration date of the contract, but as a result of the broker's contribution, the fee is still due.

Exclusive contract gives the rights of public advertising to the broker (posting signs, running classifieds ads, posting listings on web sites). Non-exclusive contract would limit marketing options to the internal catalogs, existing client lists and such.

Commission or fees

Legislation and regulations guiding profession of real estate broker in Brazil shies away from calling compensation for real estate brokerage services commission. Instead, consistent effort is being made to equate such compensation with fees payable to other liberal professionals in Brazil, such as: lawyers, doctors, medics. . . The word used for the legal and practical purposes is Honorários. Such effort is being made in order to further disassociate real estate broker profession from the ranks of common sales clerks and to elevate professional status of the category.

The Honorários ought to be fixed at the service contract and should be clearly identified as for the type of services that would generate such compensation.

Note: Commission and fee are going to be used in this article interchangeably since com-

mission is the most frequently used term designating such compensation in the English language.

There are five basic types of professional compensation:

Sale fee

This commission is paid by either seller or buyer and is based on the type of property and sales commission table provided by the corresponding state's CRECI. Usually, the rate ranges from 5% to 10% of the amount of the transaction.

Property Barter commission

Barter commission generally follows the same guidelines as the sale commission. It is important to note that in case of a direct exchange of a property for another one of equal value, the broker can claim commission for both. When a property of a lesser value is provided as part of payment for a property of a greater value only the commission on the property of the greater value is due.

Property Lease commission

Rent commission is always charged to the landlord. It usually is defined as an amount equivalent to a month worth of rent.

Property Administration fee

Can be fixed at up to 12% of the amount of the monthly rent. If the amount of rent is fixed for the entire duration of the lease agreement, then greater amount can be charged.

Property Appraisal (Property valuation) fee

Real Estate brokers in Brazil can conduct market analysis and determine market value of the property in question.

Note: If the property appraisal is required for legal, fiscal, or mortgage purposes, only civil engineers could provide reports that can be admitted.

When the fee is due

It is a common misconception that the broker fee ought to be paid at closing. In reality, payment of the broker fee is due at the moment when the transaction has become imminent, i.e. when the intent to purchase or a similar document has been signed.

Even if the deposit/earnest money has been paid and the buyer later pulls back for one reason or another, the seller is liable for the full broker commission. This is one of the reasons that the down payment should be set at least 10% of the agreed sale price in order to cover possible expenses that include broker commission.

It doesn't mean that if the broker has merely introduced the two parties that the commission is due. There has to be a clear indication that the transaction is to take place. What is usually not considered in this situation is whether or not the transaction is eventually carried through by either of the parties or not.

If the transaction falls through due to the unprofessional, unethical, or illegal conduct by the broker, there is a fair chance that the fee would be denied and the broker could be held responsible legally and financially for his or her actions.



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