ROS REAL
Realitäten Vermittlung

Information on the first-instructing-party principle for residential lettings (§ 17a Brokers Act)

Information sheet on the broker information of ROS Realitäten Vermittlung OG – as of September 2026 – version IB-1 – English translation; the German version is legally binding

BESTELLERPRINZIP FOR RESIDENTIAL LETTINGS

Since 1 July 2023, the first-instructing-party principle (Erstauftraggeberprinzip, § 17a Brokers Act) has applied to the brokerage of rental apartments: whoever instructed the agent first pays the commission.

- For apartments we offer on behalf of landlords – that is, all rental apartments on our website and on property portals – you as the tenant pay *no commission*.
- Commission can only be agreed with you if you, as the person looking for an apartment, instruct us first and expressly to search for you, and we find an apartment that had not already been offered to us by a landlord.
- The Bestellerprinzip does not apply to business premises, purchases or leases.

MAXIMUM COMMISSION RATES

The Estate Agents Regulation sets the maximum an agent may charge. All amounts are plus 20 % VAT.

Residential lettings

Based on the gross monthly rent.

WHO PAYS	MAXIMUM COMMISSION
Landlord	3 gross monthly rents
Tenant, only as first instructing party – open-ended or more than 3 years	2 gross monthly rents
Tenant, only as first instructing party – up to 3 years	1 gross monthly rent

QUESTIONS?

We are happy to explain everything to you in person: +43 664 200 20 27 – ~~office@ros-real.at~~