



## Black Hawk Farm

### Seller Checklist

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This checklist is provided by Black Hawk Farm Limited to help sellers of horses better prepare their horses to be marketed and better ensure a smooth and honest sale. This checklist is based on Black Hawk Farm's experience and we are happy to explain more about anything here. This checklist may not be used in a commercial manner. Please feel free to get in touch at any time if you have any questions.

#### When Marketing Your Horse

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**Am I certain in my decision to sell this horse now and for a fixed price?** Selling your horse can be a hard decision and you must be sure you will proceed with a sale and not change your mind or the price after an offer has been accepted. Ensure you have been clear about the price including GST (New Zealand sales tax) or not - New Zealand law requires that GST is included in a price unless stated otherwise at the time. Also make sure you know the price a broker/agent is quoting and how this compares to your price as this can affect the saleability of your horse.

**Am I confident I am able to market and sell my horse myself?** This is not only about experience and professionalism, it is also about knowing the legal obligations and acceptable practices. It takes time to market your horse, manage inspections, and all going well to manage the sale and delivery, particularly to another country. If you choose to engage a broker/agent then ensure you have agreed written terms of engagement and are comfortable with the party representing your interests. Feel free to review Black Hawk Farm's [Terms of Engagement](#) as an example.

**Have I supplied all the information a buyer might want to know?** This is not only ethically appropriate, it is a legal obligation. If a sale completes and it is determined that the seller misrepresented the horse in any way that might have influenced the buyer's decision to purchase then the seller is liable. In fact, even prior to a sale completing the seller may be liable for costs incurred by a prospective buyer and broker/agent if it is determined that the seller misrepresented the horse. Essential information includes ownership history, vetting and welfare history (including pregnancies and foalings), competition history, and any vices or idiosyncrasies.

**Do I have good photos and videos of my horse?** A great photo will catch someone's attention and a great video will keep their attention long enough to make contact. Ensure you have the right to use photos and videos of your horse - just because it's your horse does not mean you have control of all photos and videos of your horse.

**Have I organised a suitable riding venue?** Prospective buyers will typically expect to see your horse being ridden and then ride it themselves. When they ride your horse they will typically expect to put it through whatever tests they choose. Buyers should not ride horses at events as this can impact competing riders and may be disallowed by event rules and can result in disqualification and reprimand.

#### When Completing the Sale of Your Horse

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**Do I have a Sale and Purchase Agreement ready?** Ensure you obtain a signed Sale and Purchase Agreement and that this states any particular conditions regarding the sale of your horse.

**Have I received the sale funds?** Ensure you receive the full amount of sale funds before releasing control or possession of your horse.

**Are the buyer and I clear regarding liability of my horse throughout the sale process?** Ensure you and the buyer clearly understand who is responsible for your horse at which points in time. Consider short term insurance for yourself and suggest insurance to the buyer.

**Am I comfortable that the sale of my horse has proceeded honestly?** If you have enlisted a broker/agent and they are handling the transaction then consider requiring proof from the buyer and broker/agent of the funds paid.