One of the standing jokes at real estate closings is that the era of paperless transactions is getting closer all the time. In fact, every transaction seems to have more documents to sign than the one before. Indeed, every year the contracts to list or to buy and sell real estate get longer and longer as the Real Estate Commission seeks to address a recent lawsuit or new legislation enacted in the previous year. The boldest move in what I consider a failing gesture toward paperless transactions is the introduction of contracts which are sent back and forth by computer only and are signed using the mouse or track pad on each agent’s or client’s computer. At right is an example of my own signature as it looked when created using the mouse pad on my laptop. If this is a glimpse of the future, I’d say it’s a glimpse at what my signature might look like when I’m 90 — which may be why I’m not crazy about this technology!

But it’s not just the quality of the signatures that makes me question the validity of the concept of paperless transactions. Consider these points. No changes can be made and initialed on such contracts. Take the electronic contract I which I received this week — an offer on one of my listings. The contract lacked a legal description or unit number for the listed property. Without the unit number, the contract could have described six or seven other town homes with the same address, but I could do nothing other than include that correction in a counterproposal. Purchase contracts require me as the listing agent to check certain boxes on the final page indicating my agency relationship with buyer and seller, but this can not be done either. Is it supposed to go in a counter? No, it can’t.

Lastly, such technology does not allow for clients like my seller, an elderly lady who lives in rural South Carolina with no computer (or fax machine) within 25 miles. My solution, given the situation, was, at my client’s direction, to embody her response to the electronic contract in a new contract which I composed and sent to the buyer’s agent for acceptance.