

Cash offer or list it, what selling really costs, and what "as is" still means. Three plain-English guides, every fact sourced and dated.

INSIDE

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Questions? Talk with Fadi.
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Cash offer or list it? How to compare what you'd actually take home

From Mr. Cash Offer, with Fadi Haweileh, CA DRE #02002344 · Facts checked November 23, 2026 · Online: mrcashoffers.com/guides/cash-offer-or-list-it/

QUICK ANSWER

Compare what lands in your account, not the headline price. Put both paths on one net sheet, fill in every line, and see which number is bigger for you. A cash offer is usually below full market value, so the price alone isn't the question. Listing has costs of its own, and its timing depends on how long it takes to sell.

At a glance

Line	Cash offer	List it
Price	The offer	Your likely sale price
Agent commission	Ask the buyer	Negotiable
Repairs	Ask the buyer	Whatever you agree to
Transfer tax	Set by law and local custom	Same
Escrow and title	Customary split, negotiable	Same
Holding costs	Ask how long to close	Depends on how long it takes to sell
Taxes on gain	Same rules	Same rules

What does each line mean?

Price. For a cash offer, it's the number on the paper. For listing, it's an estimate until a buyer signs. The DRE says to "take the time to have a professional help you determine the value of the property."

Commission. Commissions are not set by law. Buyer agreements must carry "a conspicuous statement that broker fees and commissions are fully negotiable and not set by law." Since August 17, 2024, offers to pay the buyer's agent can't be posted on the MLS (the agents' shared listing database), but sellers can still offer them off the MLS. Ask each agent exactly what you'd owe.

Repairs. Listing may mean repairs before the sale, or credits to the buyer after an inspection. You can also list the house as-is, with no repairs, and let buyers price that in. Ask any cash buyer whether the offer is for the house as it sits. Either way, you still must disclose what you know. See our as-is guide.

Transfer tax. California counties may charge $0.55 per $500 of value, about $1.10 per $1,000, when the value is over $100, not counting loans that stay on the property. General-law cities may add half the county rate, credited against the county tax. The City of Los Angeles adds $2.25 per $500 (0.45%), and its Measure ULA adds more on sales above its thresholds, which change every year. Check the city's page instead of relying on a number here. Who pays is set by contract and local custom, not by state law.

Escrow and title. Escrow fees "are not fixed by law or regulated by the State." Splitting them is customary, customs differ by region and county, and buyer and seller can agree to anything in writing. The DRE-hosted escrow pamphlet we read is from 2010, so ask your escrow company for today's fees.

Holding costs. While the home is listed, you keep paying the mortgage, property taxes, insurance, utilities, HOA dues and upkeep. That's common sense, not an official figure. Estimate your own monthly total and multiply by the months you think listing could take.

Loan payoff and prorations. Any loans or liens come out at closing, along with your share of property taxes and HOA dues up to the closing date. This is common practice.

Example (made-up numbers)

What you'd receive, before the loan payoff (made-up example)

Same made-up numbers as the table. The cash column assumes the buyer pays closing costs and charges no commission, repairs or holding costs; ask each buyer to confirm. Change any line and the answer changes.



Not a real sale. Your numbers will differ.

	Cash offer	List it
Value after repairs	$640,000	$640,000

	Cash offer	List it
Cash offer or sale price	$505,000	$640,000
Repairs	$0 (assumed: buyer takes it as-is)	minus $55,000
Commission	$0 (assumed: none charged)	minus $32,000 (assumed 5%)
Seller closing costs	$0 (assumed: buyer pays them)	minus $8,000
Extra months of holding	$0 (assumed: quick close)	minus $12,000
You receive, before loan payoff	**$505,000**	**$533,000**

Every $0 in the cash column is an assumption. Ask each buyer to confirm it in writing. The 5% commission is also an assumption; commissions are negotiable.

In this example, listing nets $28,000 more. Change any line and the answer changes. Higher repair costs, a lower sale price or a longer wait would narrow the gap. A lower cash offer, cheaper repairs or a fast listing sale would widen it. Listing as-is would cut the repair line and likely lower the sale price, so put real estimates on both. Run your own numbers.

What about taxes on the gain?

Both paths can create taxable gain. Many owners can exclude up to $250,000 of gain from selling a main home ($500,000 for married couples filing jointly). To qualify, you generally owned and lived in the home at least 2 of the last 5 years, and "you may take the exclusion only once during a 2-year period." A rental you never lived in doesn't qualify the same way. California has no lower rate: "All capital gains are taxed as ordinary income." Selling costs reduce your amount realized under IRS Publication 523. Ask a tax professional.

What does the state warn about cash offers?

After the Los Angeles fires, the DRE warned about unsolicited offers to owners who weren't selling: "Often these offers are made far below market value by individuals looking to profit off of the disaster." That warning is about unsolicited offers after a disaster. It doesn't say all cash offers are low.

The DRE's red flags include promises of "all cash, a quick closing, a hassle-free transaction," and vague answers. It advises getting a professional valuation. Our own site talks about cash and speed, so use the checklist below on us too.

The Federal Trade Commission found that Opendoor, a large instant-buyer company, claimed market-value offers and savings. The FTC said "most people who sold their homes to Opendoor typically lost thousands of dollars." The company settled for $62 million. That case is about one company's claims.

How to check any cash buyer

1. If you want a cash offer, get more than one, in writing, with every fee listed.
2. Get a professional valuation, as the DRE advises.
3. Ask a listing agent for what listing would likely net, with commission and costs on paper.
4. Compare the net sheets line by line, like the example.
5. Ask who the buyer is and how long they've been in business. If anyone says they hold a California real estate license, check it on the DRE's Public License Lookup.
6. Read the whole contract before you sign, or have an attorney read it. No is always OK.
7. Be wary of vague answers or pressure to sign fast.

What to do this week

1. List your loan payoff, taxes, and monthly holding costs.
2. Get a valuation and at least one listing agent's net sheet.
3. Get written cash offers from more than one buyer, and compare.
4. Ask a tax professional about your gain.
5. Decide on your own timeline.

Watch out for

- A single offer with a deadline.
- An offer with no breakdown.
- Anyone who wants money up front for foreclosure help. The CFPB says anyone who charges in advance or guarantees they can stop your foreclosure is "not legitimate."
- Anyone who asks you to sign your deed over to them. The FTC warns that scammers "may try to convince you to transfer the deed to your home to them."
- **If your home is in foreclosure:** California's home equity sales law (Civil Code 1695 and the sections after it) covers most buyers of a "residence in foreclosure." That means the seller's main home, with 1 to 4 units and a recorded notice of default. In those sales, the seller can cancel the contract until midnight of the fifth business day after signing, or until 8 a.m. on the day of the foreclosure sale, whichever comes first. The contract must include a notice of cancellation, and until the cancellation period ends, the buyer can't ask you to sign a deed. Ask an attorney how the law applies to a particular sale.

Questions people ask

Is a cash offer always lower than listing?

Usually lower on price; compare the net. Costs, repairs and timing can change which path leaves you with more.

Who pays the transfer tax?

Contract and custom decide. No state law sets it.

Do I pay capital gains tax?

Maybe. See the exclusion above, and ask a tax professional.

Are commissions fixed?

No. They're negotiable.

Where Mr. Cash Offer fits

Fadi Haweileh is a California real estate salesperson (DRE #02002344) with eXp Realty of Greater Los Angeles, Inc. (DRE #02188471). If you sell to Mr. Cash Offer, the buyer is not your agent and can profit if the house is later resold. If you list with Fadi's team instead, he earns a commission. Either way he's paid. If selling turns out to be the right path, he'll show you a cash offer and what listing would likely net, side by side, and you decide. If it isn't, the steps above still apply. A cash offer is usually below full market value. Before you decide, get a second estimate from an agent who isn't buying.

Call Fadi, no pressure: **(909) 731-6884**



Questions about your situation?

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This guide explains general California rules. It isn't legal or tax advice.

What does it cost to sell a house in California?

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QUICK ANSWER

Selling a California home usually means paying some mix of agent commission, transfer tax, escrow and title fees, your share of property taxes, and any repairs or credits you agree to. Your loan payoff comes out of the price too. Commissions aren't set by law, and most other fees vary by company, county and city, so ask for a written estimate of every line before you sign anything.

At a glance

Cost	What sets it
Agent commission	Negotiable; not fixed by law
Transfer tax	County rate of $0.55 per $500, plus some city taxes
Escrow and title	Not fixed by law; ask your escrow officer
Loan payoff and liens	What you owe, as of the closing date
HOA documents	The HOA's actual cost, if you're in one
California withholding	3 1/3% of the price unless an exemption applies

What does each line mean?

Agent commission

California law requires every listing agreement for a home of up to four units to say this: "The amount or rate of real estate commissions is not fixed by law. They are set by each broker individually and may be negotiable between the seller and broker." The rate also can't be pre-printed on the form.

Since August 17, 2024, offers to pay the buyer's agent can't be posted on the MLS (the agents' shared listing database), according to the National Association of REALTORS (a trade group). Sellers can still offer that pay off the MLS. Ask each agent, in writing, what you'd pay.

Documentary transfer tax

Transfer tax: county first, then some cities add more

Rates and LA's thresholds change. Check your city's own page. Who pays is set by contract and local custom.

$0.55 per $500
County tax (about $1.10 per $1,000) when the value is over $100; loans that stay on the home aren't counted

+ $4.50 per $1,000
Extra inside the City of LA; ULA adds 4% over $5.4M, 5.5% at $10.9M+ (thresholds for sales closing after June 30, 2026)

$10 to $25 per $1,000
Oakland's city tax, set by price band (Alameda County Recorder)

Counties may charge $0.55 for each $500 of value, about $1.10 per $1,000, when the value is over $100. Loans that stay on the property aren't counted. Cities that follow general state law may add half the county rate, credited against the county tax. Some cities set their own, higher taxes:

- **City of Los Angeles:** an extra $4.50 per $1,000 (0.45%) on top of the county tax. Its Measure ULA adds 4% for sales over $5,400,000 and 5.5% at $10,900,000 or more. Those are the thresholds for sales closing after June 30, 2026. The city's chart applies the higher rate to the whole price. The thresholds change every year, so check the city's page.
- **San Francisco:** tiered by price. $2.50 per $500 up to $250,000, $3.40 per $500 above $250,000 to under $1 million, $3.75 per $500 from $1 million to under $5 million, and higher above that.
- **Oakland:** Alameda County's Recorder lists Oakland's city tax "at full value": $10 per $1,000 up to $300,000, $15 to $2 million, $17.50 to $5 million, and $25 above.
- **City of Riverside:** the county's sheet says, "Within the City of Riverside the tax rate is $1.10 per $500."

Who pays is set by your contract and local custom, not by state law. Rates change, so check your city's own page.

Escrow and title

Escrow fees "are not fixed by law or regulated by the State," says a DRE-hosted escrow pamphlet from 2010. Splitting the escrow fee is customary, customs differ by region and county, and buyer and seller can agree to any split in writing. No current official source says who pays title insurance in each county. Treat it as negotiable and ask your escrow officer for today's fees.

Your loan payoff and any liens

Your lender must send a payoff demand statement within 21 days after it gets your written request. It shows what it takes to pay the loan in full, with a daily amount. The lender may charge up to $30 per statement, but that cap doesn't apply to FHA or VA loans. If a notice of default has been recorded, the 21-day rule applies only to requests made before the notice of sale is first published, so ask early.

Escrow usually pays off loans and recorded liens from your proceeds (common practice, not a state rule). Ask your escrow officer for the list.

Your share of property taxes

California property tax bills come in two parts. The first is due November 1 and late after December 10; the second is due February 1 and late after April 10. At closing, the year's tax is commonly split between you and the buyer by date. That's common practice; check your closing statement.

HOA documents

If your home is in a homeowners association, you must give the buyer its governing documents, budget, assessments and other listed papers. You pay the HOA for them, but the law limits the fee to a "reasonable fee ... based upon the association's actual cost." The HOA:

- Must deliver within 10 days of your written request
- Can't charge extra for electronic copies
- Must give a written fee estimate first, if you ask in writing
- Must list document fees separately from other charges

You don't have to buy every document on its form. Documents you already have, you give the buyer free.

The natural hazard disclosure

If the home is in certain mapped zones (flood, fire, earthquake and others), you must disclose it, and that can't be waived. A seller who uses information from a public agency or a qualified expert, with ordinary care, generally isn't liable for its errors that they didn't personally know about. A report from such an expert is one way to get it. We found no official price for one.

Repairs and credits

After an inspection, a buyer may ask for repairs or a credit. You can agree, counter or say no. You can also sell as-is, but the DRE says the seller must still disclose known material facts and defects. See our as-is guide.

Holding costs

Until closing, you keep paying the mortgage, taxes, insurance, utilities, HOA dues and upkeep. Add up your own monthly total.

California withholding (Form 593)

At closing, escrow generally must hold back 3 1/3% of the sales price for California income tax, unless an exemption applies. It isn't required when the price is $100,000 or less, the home is in foreclosure, or you certify an exemption on Form 593. One exemption is a principal residence: you generally owned and lived in it as your main home at least two of the five years before the sale. When an estate or trust sells, the person who died counts as the one who lived there.

The FTB says withholding "is a prepayment of income ... tax," not an extra tax. You claim it on a California tax return. You may also choose a calculation based on your gain instead. Escrow can't give tax advice, so ask a tax professional.

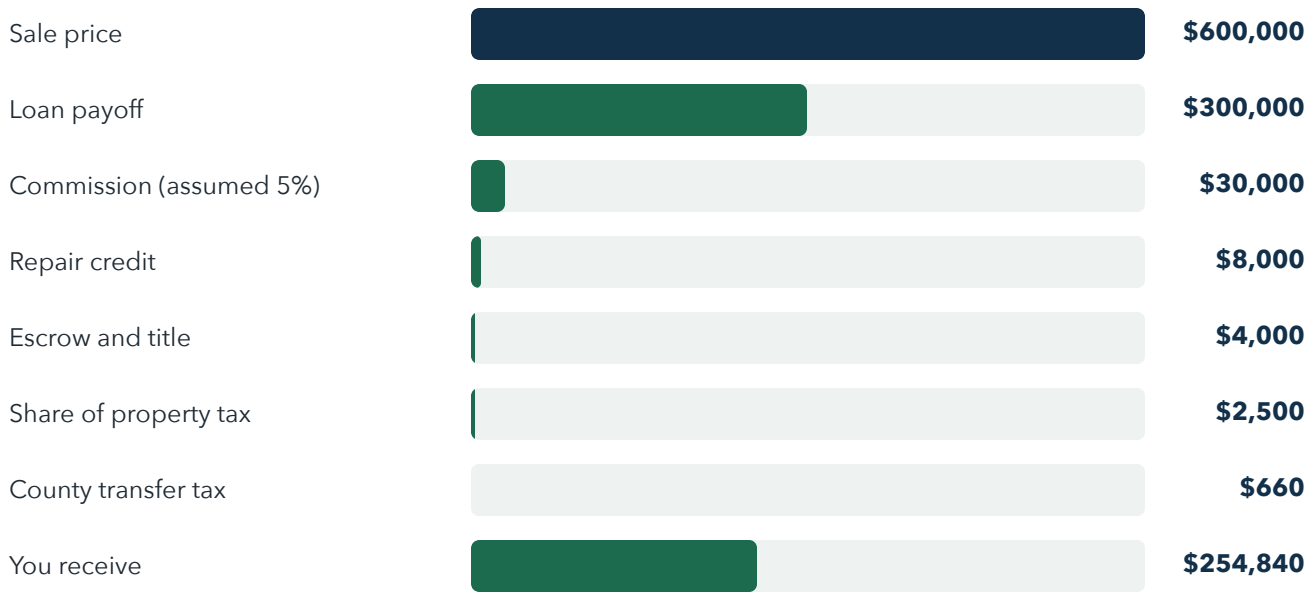
Capital gains, briefly

Under federal tax rules (IRS Publication 523), you may exclude up to $250,000 of gain on a main home ($500,000 for married couples filing jointly) if you generally owned and lived there at least two of the last five years. California taxes gains as ordinary income. Inherited homes follow their own rules; see our capital gains on an inherited home guide. Ask a tax professional.

Example (made-up numbers)

Where the money goes (made-up example)

Made-up numbers, same as the table. Assumes no city transfer tax, no HOA, a main home with the Form 593 exemption certified by closing (so no withholding). Commissions are negotiable.



Not a real sale. These aren't typical or average amounts. Assumptions: a $600,000 sale outside any city with its own transfer tax, a 5% commission (commissions are negotiable), the seller's main home, with the Form 593 exemption certified by closing (so no withholding), and no HOA.

Line	Amount
Sale price	$600,000
Commission (assumed 5%)	minus $30,000
County transfer tax ($0.55 per $500)	minus $660
Escrow and title (made-up)	minus $4,000
Repair credit (made-up)	minus $8,000
Seller's share of property tax (made-up)	minus $2,500
Loan payoff (made-up)	minus $300,000
You receive	**$254,840**

Change any line and the result changes.

What to do this week

1. Ask your lender in writing for a payoff demand statement.
2. Ask two or three agents for a written net sheet with every line filled in.
3. Look up your city's transfer tax on its official page.
4. If you have an HOA, ask in writing for the document fee estimate.
5. Ask a tax professional about Form 593 and any gain.

Watch out for

- **A single total with no breakdown.** Ask for every line in writing.
- **Assuming no withholding.** Escrow needs a signed Form 593 by closing to skip it.

Questions people ask

How much does it cost to sell a house in California?

It depends on your commission, city, loan and repairs. There's no official average.

Who pays the transfer tax?

Your contract and local custom decide. No state law sets it.

Are commissions negotiable?

Yes. Listing forms must say they're "not fixed by law."

Does escrow hold back money for California taxes?

The standard amount is 3 1/3% of the price, or a gain-based amount you choose, unless an exemption such as a main home applies. It counts toward your California tax.

Can my HOA charge anything it wants for resale documents?

No. The fee is limited to its actual cost, with no extra charge for electronic copies.

Where Mr. Cash Offer fits

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Sources

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Selling a house as-is in California: what do you still have to disclose?

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QUICK ANSWER

You still disclose what you know about the house's condition, on the Transfer Disclosure Statement (TDS), plus hazard-zone, lead paint (built before 1978), smoke alarm and water heater statements where they apply. In California, "as is" means you won't fix things, not that you can skip the paperwork. The law says the TDS "may not be waived in an 'as is' sale," and any agreement to waive these rules is void.

Plenty of houses sell with problems. Writing down what you know is the safer path, and you don't have to fix anything first.

At a glance

What	Who gives it	Can it be waived?
Transfer Disclosure Statement (TDS)	Seller	No
Natural hazard disclosure (flood, fire, fault zones)	Seller or agent, if the home is in a mapped zone	No
Lead paint disclosure	Seller, if built before 1978	Buyer's 10-day inspection can be changed in writing
Smoke alarm and water heater statements	Seller	Smoke alarm has its own exemption list
Fire-zone papers	Seller, in high or very high fire zones	See below

What is "as is," really?

What "as is" means in California

Writing down what you know is the safer path.

You don't have to

- Fix anything first
- The buyer accepts the house as it sits

You still have to

- Tell the buyer what you know (the TDS can't be waived, though some sales, like probate sales, are exempt from the form)
- Give hazard-zone, lead paint (pre-1978), smoke alarm and water heater statements where they apply

The DRE's Reference Book says "as is" is the usual condition: the property is sold in its present physical condition. The same page says the seller "shall disclose all material facts and defects including known insurance claims."

So the buyer accepts the house as it sits, and you still tell them what you know.

What's on the Transfer Disclosure Statement?

It's the seller's form about the home's condition. State law covers sales of single-family residential property, unless an exemption applies. You deliver it "as soon as practicable before transfer of title."

If the form, or a material change to it, reaches the buyer after they've made an offer, the buyer can cancel. They get three days if you hand it over in person, five days if it's mailed, and five days if it's sent electronically when both sides agreed to do the deal electronically. They cancel with a written notice to you or your agent.

Who doesn't have to give the TDS?

An exemption from the TDS is not an exemption from everything. Natural hazard, lead paint, and fraud rules each have their own scope. If you're selling as an heir or trustee, ask a probate attorney which ones apply to you.

Civil Code 1102.2 lists the TDS exemptions. In plain words, the form isn't required for:

- Court-ordered sales, including probate sales, foreclosure sales, bankruptcy trustee transfers and eminent domain.
- Foreclosure-related transfers: a borrower in default handing the home to a lender, a sale after default, and a lender's resale of a home it took back.

- Sales by someone managing property for others (a trust, guardianship, conservatorship or a deceased person's estate). This one doesn't cover an individual person serving as trustee of a revocable (changeable) trust who is a former owner or lived in the property within the past year.
- Sales from one co-owner to another co-owner.
- Sales to a spouse, or to certain blood relatives of the seller.
- Transfers between spouses because of a divorce or legal separation.
- Sales by the State Controller, tax-default sales, and sales to or from a government entity.
- Certain new-subdivision sales, sales of property that isn't single-family residential, and most leases.

What about hazard zones?

If the home sits in a mapped zone, the seller or agent must say so. The six zones are: a FEMA special flood hazard area, an area of potential flooding from a dam failure, a very high fire hazard severity zone, an earthquake fault zone, a seismic hazard zone, and a state responsibility area for wildland fire. This disclosure can't be waived either.

What if the house was built before 1978?

Federal law requires you to disclose what you know about lead-based paint. The EPA says sellers must:

- "Disclose any known information about the presence of lead-based paint and lead-based paint hazards in the home or building."
- Hand over all available records and reports.
- Give the buyer the EPA pamphlet "Protect Your Family From Lead in Your Home."
- Include the Lead Warning Statement in the contract and keep a signed copy for three years.
- Give the buyer a 10-day period for a paint inspection or risk assessment. The two sides can change that period in writing.

What about smoke alarms, carbon monoxide and the water heater?

- **Smoke alarms:** a working alarm is required, and you give the buyer a written statement that you comply. This has its own exemption list. It's a safety item; install them.
- **Carbon monoxide devices:** homes with a fuel-burning heater or appliance, a fireplace, or an attached garage need them. A missing device doesn't cancel the sale. It's a safety item; install them.
- **Water heater:** it must be braced, anchored or strapped, and the seller certifies that in writing.

The DRE says these statements are typically made on one standard form from the California Association of Realtors, the Water Heater and Smoke Detector Statement of Compliance.

Fire-zone and other newer disclosures

- In a high or very high fire hazard severity zone, where a local ordinance or inspection program exists, you give the buyer documentation of defensible-space compliance. If you don't have it, you and the buyer can sign an agreement that the buyer will get it. Where an inspection program exists but no ordinance, that's within one year of closing.
- Homes built before 2010 in those zones get a fire-hardening notice. Since July 1, 2025, it also lists low-cost retrofits and which ones you completed.
- Sellers whose property got a state-program water storage tank, sellers who know of former military ordnance nearby, and sellers who know of nearby industrial use have their own notices.
- Water-conserving plumbing: you say whether any noncompliant fixtures remain.

What happens if you leave something out?

A missed disclosure doesn't automatically cancel the sale. But a seller who willfully or negligently fails a duty owes the buyer's actual damages. California law also treats "the suppression of a fact, by one who is bound to disclose it" as deceit. The disclosure rules say they don't limit your duty to avoid fraud or misrepresentation.

Read together, these rules mean hiding a defect you know about is the risky move. Writing it down is the safer one.

What to do this week

1. Walk the house and write down every problem you know about: leaks, old repairs, pests, past insurance claims, anything.
2. Check whether your sale is exempt (for example, a probate sale). Ask a probate attorney if you're not sure.
3. Look up whether the home is in a flood, fire, fault or seismic zone, and when it was built.
4. Find out if you have smoke alarms and a strapped water heater. These are small fixes.
5. Talk with a real estate attorney or your agent about the forms before you sign anything.

Watch out for

- A buyer, or the buyer's agent, who says "it's as is, you don't need to fill that out." The buyer or the buyer's agent isn't your agent. The law says the TDS can't be waived.
- Pressure to "keep it simple" by leaving things off the form.
- Anyone asking you to sign something you haven't read. Read every page, and ask an attorney about anything unclear.

Questions people ask

Do I have to disclose problems if I sell as-is?

Yes. "As is" means no repairs, not no disclosures.

Can a buyer sue me after an as-is sale?

A seller who willfully or negligently fails a disclosure duty owes the buyer's actual damages. For your situation, ask an attorney.

I inherited the house. Do I still fill out the TDS?

It depends on who is selling. Ask a probate attorney. The exemption covers sales by someone managing a trust or a deceased person's estate for others, but it doesn't cover every heir: it doesn't apply to an individual trustee of a revocable trust who is a former owner or lived in the property within the past year. Other disclosures, such as natural hazard and lead paint, have their own rules.

Do I need a lead paint disclosure if the house was built before 1978?

Yes, under federal law (see the EPA list above).

Where Mr. Cash Offer fits

Fadi Haweileh is a California real estate salesperson (DRE #02002344) with eXp Realty of Greater Los Angeles, Inc. (DRE #02188471). If you sell to Mr. Cash Offer, the buyer is not your agent and can profit if the house is later resold. If you list with Fadi's team instead, he earns a commission. Either way he's paid. If selling turns out to be the right path, he'll show you a cash offer and what listing would likely net, side by side, and you decide. If it isn't, the steps above still apply. A cash offer is usually below full market value. Before you decide, get a second estimate from an agent who isn't buying.

Call Fadi, no pressure: **(909) 731-6884**



Questions about your situation?

Fadi Haweileh, California real estate agent, DRE #02002344, eXp Realty of Greater Los Angeles, Inc., DRE #02188471.

(909) 731-6884

Sources

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- Civil Code 1102, 1102.1, 1102.2, 1102.3, 1102.13, 1102.8, 1102.15, 1102.155, 1102.156, 1102.17, 1102.19, 1102.6f: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV&sectionNum=1102 (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV&sectionNum=1102) (change the section number for each)
- Civil Code 1103 (natural hazards) and 1710(3) (https://leginfo.legislature.ca.gov)
- Health & Safety Code 13113.8 (smoke alarms), 17926 (carbon monoxide), 19211 (water heaters) (https://leginfo.legislature.ca.gov)
- DRE Reference Book, Chapter 20 (https://dre.ca.gov/files/pdf/refbook/ref20.pdf)
- EPA, Real Estate Disclosures about Potential Lead Hazards (https://www.epa.gov/lead/real-estate-disclosure)

This guide explains general California rules. It isn't legal or tax advice.