



TERMS, DISCLAIMER AND LEGAL NOTICES

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Please read these terms carefully. By accessing or using the FF&E Optimizer, you acknowledge that you have read, understood, and that you agree to the terms below.

NATURE OF THE TOOL

The FF&E Optimizer is a working tool provided as a courtesy to assist with organizing an inventory of furniture, fixtures, and equipment in connection with a contemplated commercial real estate transaction. It is provided by Spark Realty™ as a convenience to clients and cooperating parties. It is not a professional service, an appraisal product, or a substitute for professional advice.

NOT AN APPRAISAL; ESTIMATES ONLY

Any values, costs, or figures produced by the FF&E Optimizer are estimates generated from general market reference data and from information entered by the user, including the user's own assessment of item condition. These estimates are not appraisals and do not constitute a determination of fair market value, replacement value, liquidation value, or any other defined standard of value. They have not been prepared by a licensed or certified appraiser and must not be relied upon as an appraisal. Actual outcomes in any transaction depend on market conditions, buyer interest, professional condition assessments, and the structure of the specific transaction, and will differ — potentially materially — from any estimate the tool produces.

ACCURACY OF INFORMATION

Information generated by or contained in the FF&E Optimizer, including estimated values, removal costs, manufacturer information, tax categories, and market commentary, has been derived from sources believed to be reliable. No representation or warranty, express or implied, is made as to its accuracy, completeness, timeliness, or fitness for any particular purpose. Users are strongly encouraged to independently verify all information and to conduct thorough due diligence with the assistance of appropriate licensed professionals. The reference values built into the tool are general estimates assembled from market research and are not specific to any particular property, region, or item; they are a starting point for the user's own analysis, not a substitute for professional valuation.

NO LEGAL, TAX, ACCOUNTING, OR APPRAISAL ADVICE

The FF&E Optimizer is operated by licensed real estate professionals. It does not provide legal, tax, accounting, or appraisal advice. Any output that touches on legal, tax, accounting, or valuation matters is provided for general informational purposes only and must not be relied upon as a substitute for advice from qualified professionals. You are strongly encouraged to consult your own attorney, tax advisor, accountant, and appraiser with respect to your particular circumstances and any contemplated transaction.

NO RELIANCE; USER RESPONSIBILITY

The FF&E Optimizer is a tool to assist your own analysis and decision-making. It does not make decisions for you and does not recommend any course of action. You remain solely responsible for all decisions made and actions taken in connection with any transaction, and for engaging the qualified professionals appropriate to your circumstances.

YOUR DATA

Information you enter into the FF&E Optimizer is stored locally in your own web browser on the device you use. It is not transmitted to, collected by, or accessible to Spark Realty, Affinitas Consultants, or any third party through your use of the tool. Project files you choose to save are stored wherever you direct your device to save them and remain under your control. Because data is stored locally, it may be lost if you clear your browser data, use a different browser or device, or experience a device failure. You are responsible for saving and backing up your own work using the tool's Save Project File function.

ARTIFICIAL INTELLIGENCE

The FF&E Optimizer does not use artificial intelligence while you operate it. It does not transmit your data to any AI system, and its outputs are calculated from fixed formulas applied to the information you enter — not generated by AI. The general reference data built into the tool — including typical replacement costs, condition-based value factors, removal cost ranges, and manufacturer information — was developed using general market research, industry sources, and research tools that include AI assistance. This reference data represents general estimates only; it is not the result of independent survey, audit, or appraisal, and must be independently verified. Should AI-assisted features be introduced into the operation of the tool in the future, their use will be disclosed and these terms updated.

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NO WARRANTY

The FF&E Optimizer is provided "as is" and "as available," without warranty of any kind, express or implied, including any implied warranty of merchantability, fitness for a particular purpose, or non-infringement. Spark Realty and Affinitas Consultants do not warrant that the tool will be uninterrupted, error-free, or free of defects.

LIMITATION OF LIABILITY

To the fullest extent permitted by law, neither Spark Realty, SPARK RE, LLC, Affinitas Consultants, LLC, nor their respective members, officers, employees, or agents shall be liable for any direct, indirect, incidental, consequential, special, or exemplary damages arising out of or relating to your use of, or inability to use, the FF&E Optimizer or any output it produces, even if advised of the possibility of such damages.

CHANGES TO THESE TERMS

These terms may be updated from time to time. The version in effect is the one posted here at the time of your use, identified by the "last updated" date above.

Contact: Questions regarding the FF&E Optimizer or these terms may be directed to Spark Realty at 435-229-1990