



# Leone Equestrian Law LLC

## Six Rules for Buying a Horse Sight Unseen

By Leone Equestrian Law | [www.EquestrianCounsel.com](http://www.EquestrianCounsel.com)

The topic of buying a horse unseen comes up from time to time in our practice and it can be tempting, especially with travel to Europe largely halted and even travel throughout the United States not advised amid COVID. The simple answer is that you should see and try the horse before you buy it. However, if you are seriously looking to purchase a horse from a distance, here are our tried-and-true rules:



Buying a horse without seeing or trying it may be convenient and seem more cost-effective, but it may also be too good to be true.

- 1. You have to be able to lose the money and be okay with that.** If you have not already enlisted the help of a knowledgeable professional, I highly recommend you take that step first. A trainer who knows your riding abilities and goals for your new horse can help you make a smart purchase and identify any potential red flags along the way. An experienced professional and competent trainer can help prevent first-time horse owners from letting their emotions and excitement interfere with sound decision-making when deciding upon which horse makes the smartest purchase. A professional can help you weigh the pros and cons with a potential new horse, answer your questions, and guide you into making a good decision.
- 2. If you are going to buy a horse without seeing or trying it in person, you need to know the person who is selling it to you.** It's not enough to have the person's name and address—it's critical to know the seller on a personal level. Perhaps you have done business with this person before or, perhaps, you are familiar with the family and have a relationship outside of the horse community. If you have no relationship upon which you can base substantial trust in the seller or dealer, the chances are slim that you will get the horse you think you are buying.
- 3. If you are a non-professional horse person, don't do it.** Even if you are, make sure you comply with Rules #1 and #2. Making the wrong purchase is challenging in its own right, but you also need to consider the ongoing cost of upkeep until you're able to sell or re-home the horse. Even if Rule #1 applies, your chances of a successful purchase are not in your favor. Horse professionals, given their horse industry networks, are better able to barter their way out of a bad deal, although not always.
- 4. Young horses such as weanlings and yearlings can be an exception if Rule #1 and #2 apply.** Buying young horses is an exception to the rule that you should see and try the horse prior to purchase. With young horses, there isn't much to evaluate beyond its breeding, conformation, and agility. Provided you are able to comply with Rules #1 and #2, and you have a place to let them grow and develop, buying a young horse from a knowledgeable breeder or dealer you know can be a rewarding experience—but it is always a gamble.
- 5. Request and search for all the available performance and vet information about the horse, beyond what is provided.** Assuming you have satisfied Rules #1 and #2, do your due diligence and gather as much information as possible about the prospect at hand. Search for additional videos, vet records, FEI or USEF records, and any other source you can uncover. Generally, the videos displayed on Facebook or other social media are cherry-picked from all available videos of the horse.
- 6. Bills of sale, warranties, and other purchaser protections will likely be of no value and returns are unlikely.** Unfortunately, purchaser protections in the sale documents typically obtained in a sight-unseen sale are minimal to non-existent. You will be able to track the money sent, but it is extremely difficult to legally enforce a breach of warranty or a negligence claim after the purchase is complete. Legally, any bill of sale or other document from the seller commonly has disclaimer language with no warranties and the sale is "as is." If you do wish to raise a breach of warranty or a negligence claim, you will likely need to bring an out-of-state lawsuit—presuming that the horse you purchased came from a state other than your own. Proving fraud in the sale of the horse—or proving a defect in the horse—requires expert witness opinion, which comes at a cost and will involve attorney fees. All in all, the costs of meeting the legal requirements needed to recover compensation for fraud or breach of warranty claims make it difficult to have legal recourse on a horse that is bought unseen. In our experience, the people who purchase horses unseen often do not spend enough to warrant the cost of the legal expense required to recover it.

### Key Takeaways

While not all horses purchased sight unseen are problematic, all such purchases are risky. Some people have been successful buying a horse online and unseen. Many have not. If you are contemplating doing so, these rules will help you to maximize your chances of a successful purchase.



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Hosting a clinic at your facility can be beneficial for a number of reasons. It can provide marketing opportunities for your farm, generate revenue, and offer a fun learning experience for everyone involved. However, before you officially kick off your clinic, there are a few safety considerations to keep in mind.

In Leone Equestrian Law's legal column in the September 2020 issue of Sidelines Magazine, Armand Leone and Jessica Choper offer advice on how to ensure you are prepared to host the safest clinic possible.

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For advice and counsel related to contracts for bill of sale, contact Leone Equestrian Law at [info@equestriancounsel.com](mailto:info@equestriancounsel.com).

Led by Armand Leone, Jr., MD, JD, MBA, Leone Equestrian Law LLC provides legal services and consultation for equestrian professionals ranging from riders and trainers to owners and show managers in the FEI disciplines on a wide variety of issues.

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