

# WIN-WIN OR NO DEAL

## *Negotiating with Confidence and Purpose*

Presented by **Evan Fuchs**  
ABR, CRB, CRS, GRI, RENE, RSPS, SRS, e-PRO



Achieve better outcomes in every negotiation with this proven approach emphasizing creativity, collaboration, and effective communication.

In this workshop, you'll explore how to apply four core principles to build trust, generate new paths to agreement, and handle objections with confidence. Craft win-win solutions that close deals while preserving relationships—even when an agreement isn't reached. Gain actionable strategies, scripts, and techniques to position yourself as a trusted advisor and skilled negotiator.

### **AFTER THIS SESSION, YOU WILL BE ABLE TO:**

- Adopt a mindset that generates more paths to a successful deal.
- Use the four core principles of Win-Win negotiation in any scenario.
- Respond to objections with confidence and clarity.

### **SESSION OUTLINE:**

- The Win-Win Mindset Multiplier
- Beyond the Numbers
- Cupcake Thinking Trap
- The 4 Principles of Win-Win Negotiation
- Language That Promotes Agreement



# NEGOTIATING *INTANGIBLES*

- Tangible interests can be quantified.
- Intangible interests cannot be quantified or measured directly in monetary terms.

## TANGIBLE

- MONEY
- DATES
- TERMS
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## INTANGIBLE

- RELATIONSHIPS
- FEELINGS
- FAIRNESS
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WHAT ARE THE “INTANGIBLES” WORTH?

# WIN-WIN AGREEMENTS

## POSSIBLE NEGOTIATION OUTCOMES

Win-Lose, Lose-Win, Lose-Lose, Win-Win, No Deal.

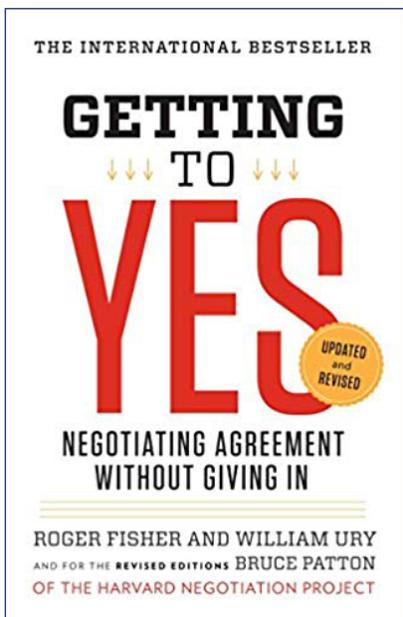
## POSITIONAL BARGAINING

Each side takes a position, argues for it, and makes concessions to reach a compromise. This often results in lose-win, win-lose, or lose-lose (e.g., splitting the difference). Default move for most amateurs.

## PRINCIPLED NEGOTIATION: A WIN-WIN APPROACH

Alternative method to positional bargaining designed to produce “wise outcomes efficiently and amicably.”

A “Wise Agreement” meets the legitimate interests of each side to the extent possible, resolves conflicting interests fairly, is durable, and takes community interests into account.



## THE METHOD:

- Separate the people from the problem
- Focus on interests, not positions
- Invent options for mutual gain
- Insist on using objective criteria

## KNOW YOUR BATNA

(Best Alternative To Negotiated Agreement)

# The Four Principles of **WIN-WIN** NEGOTIATION

Based on the Principled Negotiation Method from *Getting to Yes* (Fisher & Ury, 1991)

## 1 | SEPARATE THE PEOPLE FROM THE PROBLEM

- Negotiators are people first
- Every negotiator has an interest in the result, and in the relationship
- Separate the relationship from the substance; deal directly with the people problem (perception, emotion, and communication).

## 2 | FOCUS ON INTERESTS, NOT POSITIONS

- Interests define the problem.
- Each side has multiple interests. Discover underlying interests by asking directly. Ask yourself “Why?” “Why not?”
- The most powerful interests are basic human needs.

## 3 | INVENT OPTIONS FOR MUTUAL GAIN

Major obstacles that inhibit the inventing of an abundance of options:

- Premature Judgment
- Searching for a single answer
- Assumption of a fixed pie
- Thinking that their problem isn't your problem

## 4 | USE OBJECTIVE CRITERIA

- Frame each issue as a search for objective criteria: “Let’s figure out what a fair price would be” “How did you arrive at that figure?”
- Reason and be open to reason

# WIN-WIN LANGUAGE

- What's most important to your client?
- What if...?
- How are you?
- Let me see what I can do.
- Help me understand...
- Give me something I can work with so I can go to bat for you.
- How can I help you?
- What is your biggest concern?
- What is your client's biggest concern?
- Tell me more about that...
- Can I give you a call?
- I'm looking forward to working with you.
- If my client would \_\_\_\_\_,  
would your client \_\_\_\_\_?

# ACTION PLAN

- IDENTIFY HOW YOU WILL APPLY ONE PRINCIPLE IN YOUR NEXT NEGOTIATION**  
(Example: Separate the people from the problem by pausing before reacting and asking, *“What’s the issue here, not who’s to blame?”*)

- PRACTICE UNCOVERING WHAT MATTERS MOST**  
Write one question you’ll use to uncover the other party’s real interests, not just their position.

- DEVELOP YOUR GO-TO PHRASES**  
Pick two phrases from the Win-Win Language list that you’ll use to reduce tension and open dialogue in your next conversation.

Evan Fuchs is a national speaker, leadership trainer, and long-time broker-owner who helps real estate professionals and associations turn ideas into action. Known for his down-to-earth style and real-world insight, he delivers practical, engaging programs that empower individuals and teams with the skills, strategies, and confidence to lead and succeed.



More Handouts  
& Resources

