



Realty Notes

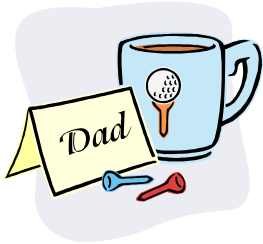


CCBR Volume No. XXV Issue No. 5

May 31, 2010

June

- 3 Healthy Neighborhood Conference SUNY Fredonia
8:30 AM – 1:00 PM**
- 8 Board of Directors, 8:30 AM
Board Office**
- 10 Public Relations Committee Meeting 9:00 Board Office**
- 11 Membership Committee Meeting–Board Office 9:00 AM**
- 20 Happy Father’s Day**



July

- 1 MLS/Computer Committee Meeting, Board Office 8:30 AM**
- 4 Independence Day**
- 5 Board Office Closed**
- 8 Public Relations Committee Meeting 9:00 Board Office**
- 9 Membership Committee Meeting–Board Office 9:00 AM**
- 13 Board of Directors, 8:30 AM Board Office**
- 14 NY AE Seminar 14th-16th Saratoga Springs, NY**



Presidential Message

Very often the board office gets calls regarding questions on listings in our system.

As listing agents we are working for our sellers. In fairness to them, all pertinent information should be included in our MLS **and** be correct.

Please for the good of the sellers and your fellow agents please go in and update your listings.

1. Update tax assessments for the year and the taxes using the new tax rates and/or assessments.
2. CHECK your pending and pending shows. Should they now be in a different status?
3. Have you gone in and changed the seller contact number with the sellers Attorney yet? (If you missed all of the MLS changes and updates, this was one of them).
4. On rentals have the \$ figures changed in any way? Have you even included the existing or probable rents?
5. When your new listing goes out in auto responder does it truly represent the property? If this were your home/property on the market, is it what you would like to see?
6. Have you included the School District? Many searches done are by the School District only.
7. Have you included the Owners “**Full**” name? It’s required. This “should be” the legal name of the seller/s.
8. Water properties: IMPORTANT - Don’t forget to pick the alternative – single family/condo category if they can also classify as such. When NYSAR pulls our closed listings, they pull single family/condo closed only. They do NOT include water properties in our stats.
9. Is the same listing in the MLS more than once? Don’t forget when you close the listing, only one can be closed. The others must be withdrawn. Our end of the year closed stats will be negatively affected without your attention.

Please help out, do your part and save the board office and other REALTOR®’s time. As professionals what we put out there, or “promise” to do for our customers reflects on all in the profession.

As summer approaches and the weather improves, so does optimism for the housing market’s continual upswing. Here’s to a Great Year for all!

Regards
Lory A

Pathways to Professionalism:

#9 *Return keys promptly.*

#10 *Carefully replace keys in the lockbox after (40MC) showings.*

License Registration Numbers



Starr Ryder of Real Living Avista missed out on \$10.00! He missed his license registration number in last month's newsletter.

Don't forget to look for your license registration number in the newsletter each month. Call the board Office when you find it and receive \$10.00 (ten dollars) cash (if you call before the next newsletter comes

June Birthdays

2 nd	Sara Vail	18 th	Linda Hout
4 th	Mary Beth Holt	20 th	Jan Friend-Davis
8 th	John LaBardo	21 st	Gene Koszarek
8 th	Jeff Molnar	22 nd	Sandy Haines
13 th	Anne LaPaglia	22 nd	Diana Holt
15 th	Paul Liuzzo	24 th	Tammy Hess
15 th	Scott Allen	27 th	Crystal Abers
16 th	Starr Ryder	29 th	Bob Uber
17 th	Nan Sorenson	20 th	Rita Corbin
18 th	Jim Smith		

NYSAR Education Information

Enhance your career with designation courses
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MEMBERSHIP COMMITTEE

The Membership Committee did not meet in May.

The next committee meeting will be Friday, June 11th 9:00 AM at the **Board Office**.

Legal Hotline - FAQ's

CAN I USE THE TERM "LICENSED SALES ASSOCIATE" ON MY BUSINESS CARD?

NO. A BUSINESS CARD SHOULD INCLUDE THE FOLLOWING INFORMATION EXACTLY AS STATED ON THE LICENSE: THE INDIVIDUAL'S FIRST NAME; TYPE OF LICENSE HELD (BROKER, ASSOCIATE BROKER, SALESPERSON); LICENSED NAME OF FIRM; AND THE FIRM'S BUSINESS ADDRESS. THERE IS NO LICENSE ISSUED FROM NEW YORK STATE FOR A "SALES ASSOCIATE." OPTIONAL INFORMATION CAN ALSO BE ADDED TO THE CARD SUCH AS: BUSINESS TELEPHONE NUMBER; RESIDENCE TELEPHONE NUMBER; REAL ESTATE SPECIALIZATION (I.E. SPECIALIZING IN COMMERCIAL PROPERTIES); AND NICKNAME OF LICENSEE (I.E. JOHN (BUD) DOE). BROKERS MAY INCLUDE ANY TITLE OF OFFICE IN THE BUSINESS (I.E. PARTNER).

Pepper & Crandall Co. *Cattaraugus/Allegheny Counties*

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BEV WILLIAMS
PrimerNet Manager, Erie, PA &

MLS/COMPUTER COMMITTEE REPORT

The MLS/Computer Committees met on Thursday, May 6, 2010.

Present were: Rick McMahon, MLS Chair; Craig Gleason, Computer Chair; Sandy Haines; Chuck Ludwig; David Garofalo; Craig Butler; Lynn Weaver, MLS Coordinator and Jan Murray, Executive Officer

VORSTAR, SoftMLS Changes: 1) Rubber Roof added to Descriptive Codes 2) Wine Refridg moved to "Inclusions". **Requested Changes:** 1) A request was made to SoftMLS to revert back to how it use to be on "Recent Activity" Recent Activity should reflect 1 day activity 2) Increase time outs to 1 hour – or at least 30 minutes 3) Check with SoftMLS and reason for Condo's not showing up in REALTOR.com 4) Auto populate fields from listings.

POTENTIAL PROBLEMS IN SALES CONTRACT

Nowhere in the home inspection rider does it require the seller to have the utilities functional for the home inspection. It also does not address the Seller allowing a Bank Inspection. The MLS Committee voted to insert a new paragraph "D. UTILITIES Seller is responsible for utilities functioning for all inspections and bank appraisals". The current paragraph "D" will be moved down to "E"

CLONING The committee discussed a time frame in which cloning or inserting a listing as new rather than extended on the market. Six months and 3 months were discussed. No vote was taken. It will be decided at the next meeting.

MLS PROVIDERS Our SoftMLS agreement will expire November 2011. Even though we don't currently expect to change MLS providers, it is good to know what all the other providers offer. Promatch will give us a webinar demonstration at our next MLS meeting.

COMMERCIAL LISTING FORMS Those members that deal with commercial properties would like a commercial listing form to reflect more of the commercial fields. A task force will be set up to include Chuck Ludwig, Craig Butler, Bruce Turner and Randy Brown. An email will be sent to those people to set up a time to meet.

THE NEXT MEETING will be held July 1, 2010.

The meeting adjourned at approximately 9:45 AM.

LEGISLATIVE COMMITTEE REPORT

Increased Mortgage Recording Tax on the Table

As a way to help cut the state's budget deficit an increase in the statewide mortgage recording tax may be looming, according to CCBR Legislative Chair Randall J. Brown.

Brown said, "As NYSAR's government affairs staff properly notes, 'New York's budget deficit is not the result of too few taxes.' New York State spending is simply out of control and out of all proportion to spending in other states of similar size."

CCBR members are urged to contact Senator Cathy Young and Assemblymen Bill Parment and Joe Giglio to voice opposition to the proposed tax hike that would negatively impact the still fragile real estate market.

Legislation has been introduced in both the state Senate and Assembly that would allow real estate clients and customers to provide advance consent to dual agency. "This legislation is supported by NYSAR and would also eliminate the need for a real estate licensee to present an agency disclosure form to a seller or buyer when either is in the presence of their respective real estate agent," Brown explained. "This would be a welcome relief for agents while still protecting consumers, and we will be closely monitoring the progress of this important legislation."

Standard of Practice 3-4 and 16-16 still not enforceable in NY

The DOS found that SOP 3-4 enables board members to intrude on private negotiations between principal and agent and required disclosure to members of confidential information involving transactions to which they are not a party. Furthermore, DOS stated that such a rule creates the threat of price fixing pressure that would result in harm to the public through inflation of the costs of real estate transactions.

On April 21, 1989, the DOS issued an opinion stating that SOP 16-16 is not enforceable in NY. SOP 16-16 states as follows: "REALTORS, acting as subagents or buyer/tenant representatives or brokers, shall not use the terms of an offer to purchase/lease to attempt to modify the listing broker's offer of compensation to subagents or buyer/tenant representatives or brokers nor make the submission of an executed offer to purchase/lease contingent on the listing broker's agreement to modify the offer of compensation."

DOS stated that all licensees in NY should be aware that it is the seller, not the real estate broker, who has the right to establish the amount and terms of compensation offered to cobrokers. DOS also states that a buyer's agent who is unable to make a counteroffer as to the amount of compensation offered by the listing broker places the buyer's agent in the undesirable position of having to either abandon or be disloyal to his client and such coercion (1145206) constitutes the tort of interference with a fiduciary relationship.

WESTERN NY SCHOOL OF REAL ESTATE
(courses taken at the Board Office)

1. Fair Housing in New York 3½ hrs \$35/\$55
2. Green Building Certificate 7½ hrs \$75/\$95
3. Architectural Initiatives, Interior Decorating & ...Historic Landmarks in New York State 22½ hrs ...\$159/\$179
4. Home Inspection: Theory & Practices 22½ hrs ...\$159/\$179
5. Keeping Out of Trouble: Understanding New York Laws 22.5 hrs \$159/\$179
6. Real Estate Topics for the Decade 7½ hrs \$75/\$95
7. Mold, Lead & Radon in the Home 4¼ hrs \$40/\$60
8. Understanding Covenants & Surveys 3¾ hr \$40/\$60
9. Assessments, Taxes & Exemptions 3 hrs \$30/\$50
10. Wall Street vs. Main Street 22½ hrs. \$159./\$179

Call the Board Office - 484-9426

CompuTaught On Line Courses

<http://affiliate.careerwebschool.com/new-york/real-estate/618/>
New York Home Page

<http://affiliate.careerwebschool.com/new-york/real-estate/sales-pre-license/618/> NY Sales Qualifying 75 hour

<http://affiliate.careerwebschool.com/new-york/real-estate/broker-pre-license/618/> Broker Qualifying

<http://affiliate.careerwebschool.com/new-york/real-estate/remedial/618/> NY Remedial "Gap" Course

<http://affiliate.careerwebschool.com/new-york/real-estatecontinuing-education/618/> NY CE

WNY School of Real Estate

- | | | | | |
|---------|--|----------|-----------------------|-------|
| June 2 | Fair Housing in NY | 3½ Hr CE | 9:30-1:00 | \$35 |
| June 2 | 75 Hour NYS Salesperson Licensing | | | |
| | | | 5:30 – 10:45 Tue, Wed | \$469 |
| June 9 | Radon Measurement | 16 Hrs | noon | \$325 |
| June 17 | Understanding NY's New Home Warranty Laws & Energy Efficient Building | 7½ Hr CE | 9:15-5:00 | \$69 |

www.wnyschoolofrealestate.org

633-9009 for info.
or to Register

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Cusack Real Estate & Sales Training Center

NYS Qualifying Courses

- | | | | | |
|---------|---|--------|-------------------------------------|-------|
| June 1 | HI-1 The House as a System: Site, Structure, Exterior & Roof | 25 Hrs | | |
| | | | 6/1,3,8 8:30-5:00 | \$450 |
| June 7 | NYS Salespersons 75-Hr Qualifying Course | | | |
| | | | 6/7,8,9,10,11,14,15,16,17,18 9-5 | \$549 |
| June 9 | HI-5 Ongoing Field Inspections | 40 Hr | | |
| | | | 6/9,16,23,30,7/7,14,21,28 8:30-1:30 | \$895 |
| June 15 | NYS Real Estate 30 Hr Gap Course | | | |
| | Accelerated | | 6/15,16,17,18 9-5 | \$249 |
| June 15 | HI-2 Inside the Envelope: Interior, Insulation/Ventilation & Electrical System | 25 Hrs | | |
| | | | 6/15,17,22 8:30-5 | \$450 |
| June 23 | Radon Measurement Operations Course | | | |
| | | | 6/23,24 16 Hrs 8:30 – 5:00 | \$410 |
| June 29 | HI-3 Mechanicals of the House: Heating, Cooling and Plumbing | 25 Hrs | | |
| | | | 6/29,7/1,6 8:30 – 5:00 | \$450 |

NYS Continuing Education Classes

- | | | | | |
|---------|--|----------|-----------------------------------|-------|
| June 4 | Property Defect Disclosure | 3¾ Hr CE | | |
| | | | 9:00 AM – 12:45 PM | \$40 |
| June 16 | Beyond the Basics: Electrical | 6 Hr CE | | |
| | | | 6/16,23 6:00 PM – 9:00 PM | \$75 |
| June 21 | Real Estate Practices & Procedures: Financing & the Credit Market | 7½ Hr CE | | |
| | | | 6/21,28 6:00 PM- 9:45 PM | \$75 |
| June 24 | Identifying Architectural Styles | | | |
| | | | 11¼ Hr CE 6/24 5-8:45 6/25 9-4:30 | \$125 |

www.virtualclassrooms.com

Call 683-4080 for info. or to Register

SUNY College at Fredonia

Call 673-3177 for info or to Register

JCC- Jamestown

665-5220 ext 2409 For Info. or to Register

JCC- North County

366-2255 For Info. or to Register

Manfred On-line Salesperson 75 Hr. Course

On-Line 75 Hour Salesperson's Qualifying Course and the 30 Hour Gap Course. Study On-line and take the test at the Board Office.

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Questions? Email Manfred RE Learning Center: info@manfredrelc.com with "75 hr Online Question" in subject line.