



# Realty Notes



CCBR Volume No. XXV Issue No. 10

October 31, 2010

## November

- 4 MLS/Computer Committee Meeting, Board Office 8:30 AM
- 9 Board of Directors, 8:30 AM Board Office
- 11 Public Relations Committee Meeting 9:00 Board Office
- 12 Membership Committee Meeting–Board Office 9:00 AM
- 18 Installation Banquet – Lkwd Yacht Club
- 25 Happy (40HE) Thanksgiving!
- 26 Board Office Closed



## December

- 2 MLS/Computer Committee Meeting, Board Office 8:30 AM
- 7 Triple Play, Atlantic City 7-9th
- 9 Public Relations Committee Meeting 9:00 Board Office
- 10 Membership Committee Meeting–Board Office 9:00 AM
- 14 Board of Directors, 8:30 AM Board Office
- 24 Christmas Eve – Board Office Closed
- 27 Board Office Closed
- 31 New Year’s Eve – Board Office closes at noon.



2010 Triple Play REALTOR Convention and Trade Expo  
 December 7-9  
 Atlantic City Convention Center  
 Atlantic City, NJ



Real estate professionals from New Jersey, New York, Pennsylvania and surrounding states attend the annual Triple Play REALTOR® Convention & Trade Expo in Atlantic City for a unique opportunity to attend professional development courses presented by nationally recognized speakers and maximize their business potential through networking with colleagues from across the tri-state area and beyond.

This year's Triple Play will be held from December 7-9, 2010 and will feature a variety of quality workshops, keynote speeches, exciting social events and more. For details on how you can register, [click here](#).

License  
Registration Numbers



Bonnie Milliner of CENTURY 21 Turner Brokers earned \$10.00! She saw her 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.

### November Birthdays

1 <sup>st</sup>	Bill Corsi	17 <sup>th</sup>	Brian Bullard
2 <sup>nd</sup>	Chuck Ludwig	17 <sup>th</sup>	John Franks
2 <sup>nd</sup>	Jill McFarland	17 <sup>th</sup>	Jane Campbell
3 <sup>rd</sup>	Alan Dolce	19 <sup>th</sup>	Mary Ellen Windoft
6 <sup>th</sup>	Jeanette Colvin	22 <sup>nd</sup>	Roxanne McFadden
9 <sup>th</sup>	Linda Wolfe	25 <sup>th</sup>	Birdie Crandall
10 <sup>th</sup>	Paula Humberson	26 <sup>th</sup>	Jill Hopkins
11 <sup>th</sup>	Dennis Morgan	27 <sup>th</sup>	Liz Barnes
15 <sup>th</sup>	Karen Corsi	28 <sup>th</sup>	Andy Jarrett
16 <sup>th</sup>	Bill Bonner	30 <sup>th</sup>	Bruce Turner

## MLS/COMPUTER COMMITTEE REPORT

The MLS/Computer Committees met on Thursday, October 7, 2010.

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

**VORSTAR, SoftMLS Changes:** 1) Bounced Emails from autoresponders, CMA's and Prospects are now being sent to the Agent. 2) "From" line will now have agent's name rather than "Realtor@SoftMLS.com." **Requested Changes** 1) Send autoresponder notifications to Seller once a week on how many hits they've had on their listed property. 2) Drawing a section on map where it would pull up homes in selected section. 3) Have average acre, average DOM on CMA's

**TAX SALE** Auctions International did not put listings in MLS for Tax Sale Auction set for Sept 18<sup>th</sup>.

**REQUEST FOR "MEMBERSHIP IN HOMEOWNERS' OR ASSOCIATION"** to be put on "Printable Forms". The request was discussed, and concluded it can't be put on "Printable Forms" as we have one that the Bar Association has provided already on "Printable Forms" and would not approve an additional one.

**ATTORNEY FRED LARSON'S RECOMMENDATION** to bring to the Seller's attention at the time of listing, the requirements of the Chautauqua County Dept of Health *Water-Sewage Survey*. The Form will be placed on Printable Forms as well as a place on the actual listing to have the Seller initial that they have been made aware of the requirements.

**SUGGESTION** by a member to gather statistic on sales to out-of-state buyers. The information would need a dedicated field and the committee felt if the information were gathered, it would take a year of accurate reporting.

The meeting adjourned at approximately 9:45 AM.

**Pepper & Crandall Co.**  
Cattaraugus/Allegheny Counties

REFERRALS WANTED!  
"Your Full Service REALTOR®"

401 State St. Olean, NY

14760

(716) 372- 7100  
Mary Pepper, Broker

*"In the business world, the rearview mirror is always clearer than the windshield."*  
*- Warren Buffet*

## MEMBERSHIP COMMITTEE

The Membership Committee meeting was cancelled for this month.

The Installation of Officers will take place @ the Chautauqua Lake Yacht Club, Lakewood, NY on Thursday, November 18, 2010. A cocktail reception is planned in lieu of a sit down dinner. Tickets are on sale at the Board Office.



## Legislative Committee Report

### **Governor Paterson Signs Agency Disclosure Bill**

Gov Paterson signed a bill into law amending Real Property Law §443 to add two new components to the agency disclosure law relating to advanced consent to dual agency and agency disclosure for condominiums and cooperative apartments/units. The new law will not take effect until January 1, 2011.

Under the new law, sellers, landlords, buyers and tenants are permitted to consent to dual agency or dual agency with designated sales agents in advance by indicating the same on a new revised agency disclosure form.

Prior to the passage of this bill, Real Property Law §443(1)(f) specifically exempted condominiums and cooperative apartments/units from the requirement of providing an agency disclosure form. Only licensees having substantive contact with a seller, landlord, buyer or tenant of a 1-4 family dwelling were required to provide the agency disclosure form. With the removal of the exemptions and inclusion of condo's and co-op's, licensees will be required to provide the agency disclosure form for all 1-4 family dwellings.

Read more on the new disclosure, download forms as well as read additional legal news and decisions from NYSAR's LEGALLINES @ [www.NYSAR.com](http://www.NYSAR.com)

## NYSAR Legal Hotline

Free legal information is available to NYSAR members on legal issues relating to real estate practices. Get the most out of your membership. Take advantage of this FREE member resource.

The NYSAR Legal Hotline is not intended to replace your own legal counsel. The NYSAR Legal Hotline has one purpose: to provide direct access for our members to a qualified attorney who can provide information on real estate matters. The goal is to increase professionalism and decrease your professional liability.

The Legal Hotline will answer calls from 9 a.m. to 1 p.m., Monday through Thursday, excluding holidays and during official NYSAR functions. The Legal Hotline number is 518-43-NYSAR (518-436-9727). Before using the hotline, callers should formulate a clear question and gather the relevant facts. No question will be answered on matters that are unrelated to real estate or that are currently in legal proceedings. Callers are (1022222)required to give their name in order to verify membership. No questions will be answered if an individual refuses to give his/her name. Questions received enable the association to track issues of concern to its members and develop educational programs and services, legislative responses or NYSAR publications to address the issues.

### I am going to leave my current broker. Am I still entitled to my commission for all listings and in-contract transactions?

This is one of the most common questions asked. The easiest answer is that if there is an office policy or manual that outlines commissions in the event of a termination of the independent contractor agreement, or the broker utilizes the NYSAR Termination Agreement (available in the Legal Resources section of nysar.com under "sample forms"), the commissions are already agreed to prior to the licensee leaving the broker. Unfortunately, this is usually not the case. It is recommended that licensees discuss commissions with the broker prior to leaving and negotiate what portion of the commission to which the licensee should be entitled. It should be noted that the licensee may not be entitled to the full commission split if they leave prior to the closing since the broker has the obligation of assigning another licensee to that transaction. If the licensee and the broker cannot agree on a commission, the licensee may request mediation or arbitration, but the broker is not obligated to mediate or arbitrate the matter. If all of the aforementioned options do not resolve the issue, the licensee may sue the broker and leave it up to a judge to determine if there is any entitlement to a commission.

**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**

- Nov 2 **75 Hr NYS Salesperson Licensing Course**  
5:30-10:45 Tue, Wed eves \$469.
- Nov 5 **Fair Housing in NY** 3½ Hr CE 10-1:30 \$ 35.
- Nov 19 **Trends in Your NY Real Estate Practice**  
22½ Hr CE 9:30-5:00 Fridays \$149.

[www.wnyschoolofrealestate.org](http://www.wnyschoolofrealestate.org)

633-9009 for info.  
or to Register

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**CONTINUING ED MADE EASY!**

**HTTP://WWW.THECESHOP.CO**

**Cusack Real Estate & Sales Training Center**

NYS Qualifying Courses

- Nov 9 **HI-4 The Home Inspection Profession: License Law, Ethics & Report Writing**  
25 Hr. Tue, Thur 5:15-10:15 \$450
- Nov 9 **SMF Statistics, Modeling & Finance**  
15 Hr. Tue, Thur 5:30-10:30 \$229
- Nov 13 **NYS Real Estate 30 Hr Gap Course**  
Mon, Wed 5:30-10:30 Sat 8:30-5:00 \$249
- Nov 30 **RE-2 Fair Housing, Fair Lending & Environmental Issues** 20 Hr.  
Tues, Thur 5:30 PM – 10:30 PM \$299

NYS Continuing Education Classes

- Nov 3 **Anatomy of a Short Sale: An Alternative Exit Strategy** 3¾ Hr. 9:00-12:45 \$ 40
- Nov 19 **How Land Use Regulations Affect Use & Transfer of Property** 7½ Hr 9-4:30 \$ 75
- Nov 23 **Housing Patterns & Fair Housing Laws**  
3¾ Hr. 9 – 12:45 \$ 40
- Nov 23 **Market Trends and Pricing** 3¾ Hr  
1:00 PM – 4:45 PM \$ 40
- Nov 29 **Red Flags – A Property Inspection Guide** 7¾ Hr. 9:00-4:30 \$ 75

[www.virtualclassrooms.com](http://www.virtualclassrooms.com)

Call 683-4080 for info. or to Register

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**SUNY College at Fredonia**

Call 673-3177 for info or to Register

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**JCC- Jamestown**

665-5220 ext 2409 For info. or to Register

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**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.

Go to: <http://www.manfred.fastclass.com>

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