



# PBRR FRIDAY FLASH

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## Friday, November 20, 2009

In 1863, Abraham Lincoln, declared the last Thursday of November to be a National Day of Thanksgiving

### LEADERSHIP 2009

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PBMLS PRESIDENT  
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PBMLS VICE-PRESIDENT  
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SALLY BAKER  
Ex Officio

STAFF  
ASSOCIATION AEO  
SALLY BAKER

ADMIN ASS'T TO AEO  
AMBER YOUNGS

### MEMBERSHIP UPDATES

#### NEW OFFICES

##### Northern Lakes Properties, Houghton Lake

Larry Wallace, Broker

Karen Wallace

Jen McFall

##### Moomey Investments

Fred Moomey

##### Home Appraisal

James Massnick

#### NEW MEMBERS

Mary Ann Rossum, Real Estate One Points North

#### MEMBERSHIP CHANGES

Sara Hoffman has transferred to RE/MAX Central

Shelly Wahr has transferred to Pro Realty of Cadillac

**2010 Membership Renewal Dues are due by November 30<sup>th</sup>.**

Please make sure you return the necessary documents with your dues check or payment:

#### Designated REALTORS®

Office Certification Form

Annual MLS Participation Renewal Agreement

The upper portion of your dues billing invoice w/corrections, if any

#### Agents/Appraiser Members

Annual MLS Subscriber Renewal Agreement

The upper portion of your dues billing invoice w/corrections, if any

Check the status of your license you're your con ed credit history.

<https://www2.dleg.state.mi.us/colaLicVerify/>

According to DLEG: **Licenses expire 10-31-09. If you have not met all the renewal requirements by that date, you must cease the regulated practice of real estate in Michigan.**

While a 60-day "late renewal" period does exist, that merely means that licensees can renew during those 60 days, pay an additional \$20 late renewal fee, meet the CE requirements and employing broker requirements (if applicable) and recommence practice after receipt of the updated license.

[http://www.michigan.gov/documents/dleg/Important\\_License\\_Renewal\\_Information\\_11\\_13\\_08\\_25\\_7167\\_7.pdf](http://www.michigan.gov/documents/dleg/Important_License_Renewal_Information_11_13_08_25_7167_7.pdf)

If you need to take con ed to make up credits, our online con ed agreement with Great Lakes Realty Systems (Jack Miedema) offers you ala carte con ed for 2007, 2008 and 2009 and will make it easier to complete the necessary classes. <http://www.pbbr.com/Con-Ed.htm>

*Happy Thanksgiving!*  
Begin each day with a thankful heart.



Thanksgiving

## Excerpts from OCTOBER 2009 Field Report - West Michigan

By: Doug Merriam – West Michigan Field Director

Michigan Brokers urge legislature to pass a balanced budget without tax increases: The Michigan Association of REALTORS® (MAR) has banded together with other members of the business community to form a coalition to push for government reform before taxation. The “One Voice for Reform” coalition urges real reform without tax increases in order to balance the state budget.

Last Friday, the MAR sent out a “Call to Action” to all Michigan brokers, asking them to sign a petition to be presented to the Governor and legislature. The petition calls for the elected officials to pass a budget without any additional tax burdens on the backs of Michigan citizens. As of October 28th, over 400 brokers had signed on to the petition.

REALTORS® are fighting for survival and have a deep concern for the future of the state. The Michigan Legislature must balance the budget by making cuts - not raising taxes. The business community would also like to see immediate action taken to phase out the 22-percent surcharge on the Michigan Business Tax (MBT) and movement on money saving reforms in order to get Michigan pointed in the right direction. Michigan's employees and employers simply cannot wait any longer for positive change to occur.

The coalition knows that some of the choices to be made are tough, but difficult decisions are being made everyday by families and job providers across Michigan and government has a responsibility to do the same.

2009 RPAC/Convention Wrap Up: One of the biggest highlights each year during the MAR Convention and Expo is the RPAC Silent Auction. Local REALTOR® associations from around Michigan generously contribute items and gift baskets to the exciting event which grabs the attention of everyone who attends! This year's items included weekend get-away packages, electronics, golf packages, and gift certificates. The hard work and effort that local association's put in to this year's auction is truly appreciated, and participants had a tough time deciding on which items to bid on.

In addition to the RPAC Silent Auction, a new RPAC challenge was unveiled: The RPAC Pop-a-Shot Tournament! Participants had an opportunity to compete in a NCAA bracket-style tournament during the REALTOR® Royale for a chance to win a stunning diamond bracelet. In the end, the highly-entertaining tournament boosted a champion – Dan Borgerding of the Flint Area Association of REALTORS®!

Member participation in the MAR RPAC Silent Auction and the Pop-a-Shot Basketball tournament are key to helping RPAC succeed in protecting the real estate industry. Both events combined raised over \$10, 000 for RPAC! Each contribution goes to fighting for REALTOR® causes at the federal, state, and local levels of government. It also helps to secure those in the legislature who will fight for real estate industry concerns and continue to support REALTOR® initiatives. To view photos and Highlights of this year's convention, please visit [www.mirealtors.com/](http://www.mirealtors.com/)

## YOU ASKED ...



**We are frequently asked about the assessments associated with your dues. Read below about the 3 assessments (IMF, LAF & REALTOR Public Awareness Campaign Assessment)**

**Issues Mobilization Fund (IMF).** The fund shall provide financial assistance for support or opposition of issues of significant importance to the real estate industry and the private property owners of Michigan.

**Purpose:** The IMF's purpose is to improve public policy by encouraging and stimulating REALTORS® and others to take a more active and effective role in state and local government decision-making and the legislative process.

The Fund shall be organized and operated for the purpose of providing financial support for or in opposition to issues at the state and local level that have an impact on the private property rights of real property owners in Michigan. It shall also support related grassroots lobbying and educational efforts.

Funds shall not be used to support candidates or for any other purpose prohibited by federal, state or local law.

**Funding:** The Fund shall be financed through member assessments as described in MAR Bylaws.

Continued on next page:

**Governing body:** MAR Board of Directors shall have supervision and control over the affairs and funds of the Fund.

## **Guidelines and Procedures:**

### **Education Strategies**

The IMF will maintain an informational brochure/package. This package will include organizational materials, a directory of MAR staff related to the IMF, funding request guidelines and other resources available from MAR.

### **Technical Assistance**

The IMF may provide staff, volunteer experts and consultants, conduct surveys to identify emerging issues which may impact the real estate industry, implement and maintain an issues data base for access by Local Associations, and assist Local Associations in coalition building.

### **Financial Support Strategies**

The IMF may provide funding for advocacy efforts including, but not limited to, issues campaigns, related research and surveys, grass roots efforts, mail and advertising campaigns, phone banks and media, coalition building, lobbying and lobbying strategies, and educational activities.

### **Criteria for IMF Support**

Applicants must show that funds for campaigns have been solicited from other potentially affected individuals and/or groups, and that a portion of funds are derived from local and diverse sources.

A complete cost analysis or budget of the overall campaign, as well as written explanation of how the requested funds will be used must accompany the IMF request.

All IMF requests from local associations must have the signature of a Local Association President or Executive Officer, on behalf of its Board of Directors. Requests may be initiated by the MAR through its committees, task forces, officers, or staff.

Funding support for lengthy campaigns may be requested or dispersed incrementally. If incremental funding is exercised, a campaign progress report must be received prior to the additional funding. A final report, together with accounting funds shall be returned to the IMF. Additional reporting may be required.

Requests from local associations should indicate whether other localities could be affected by the issue, and whether REALTOR® Associations in those localities have been solicited to join a regional effort.

**Legal Action Fund (LAF) :** As a REALTOR®, one of the contracts you may choose to enter into with customers and clients is the buyer agency agreement. Under this contract, you expect to be paid a commission for any services you provide to that client during the duration of the agreement. What if a client, while still engaged in an agreement with you, chose to purchase a home from a for-sale-by-owner instead? A REALTOR® in Michigan found himself in that very situation, and chose to sue his client in an effort to collect the commission. In response to that action, the client counter-sued the REALTOR® claiming that an exclusive buyer's agency agreement is illegal under Michigan law.

Cases like this are the reason the Michigan Association of REALTORS® (MAR) Legal Action Fund was created.

### **The purpose of the Fund is:**

- \* to provide legal assistance/advice through the MAR's legal counsel to REALTORS® and local associations involved in, or being threatened with, litigation that could have an adverse impact on the entire industry;
- \* to promote an understanding of Michigan real estate law and its effect upon the industry;
- \* to enhance the rights of private property owners, as well as REALTOR® rights, responsibilities and professional conduct.

### **How the fund Helps REALTORS®**

When REALTORS® find themselves involved in lawsuits that they believe could have an impact on the entire real estate industry, they are encouraged to contact MAR to seek assistance through the MAR's Legal Action Fund. In most cases, the Legal Action Committee will approve funds to allow MAR legal counsel to participate in potentially

precedent-setting cases as an amicus curiae (friend-of-the-court). By doing this, the Legal Action Fund can help shape the court's decision so that it will be more likely to decide in favor of REALTORS® and private property owners.

### **How the Legal Action Fund is funded**

Each of the over 26,000 existing members of the MAR is assessed a nominal yearly fee through the dues collection process that is earmarked for the Legal Action Fund.

### **What types of issues does the fund address?**

Each year, a wide variety of cases are brought to the attention of the Legal Action Committee for consideration. If the committee believes the case at hand has the potential to impact the entire real estate industry in Michigan, it will approve monies from the Legal Action Fund.

### **Some of the issues that have been addressed via the fund include the following:**

- \* Private property rights "takings"
- \* Right to arbitrate
- \* Agency contracts and responsibilities
- \* Restrictive township ordinances
- \* Seller's Disclosure Statement problems
- \* Deed restrictions

### **What is the Legal Action Fund?**

Through the MAR Legal Action Fund, the Legal Action Committee works to ensure that the rights of REALTORS® and private property owners are protected by playing an active role in the development of case law that protects and preserves the integrity of the real estate industry.

### **How are requests for assistance made?**

Members, or Local Associations, who anticipate a legal challenge as a result of an action or inaction on their part that could affect the entire real estate industry should contact MAR for a copy of the Legal Action Fund Request Form.

### **Who administers the Legal Action Fund?**

The MAR Legal Action Committee is responsible for administering the Legal Action Fund. The Committee meets as necessary to respond to requests for assistance.

### **For more information**

For additional information about the Legal Action Fund or the other advocacy services provided through the Michigan Association of REALTORS®, contact us at 800.454.7842

## **REALTOR® PUBLIC AWARENESS CAMPAIGN ASSESSMENT**

The National Association of REALTORS® Board of Directors voted on November 17, 1997 to fund a national Public Awareness Campaign for three years beginning in July 1998, and the Board has continued to approve the extension of the campaign in three-year cycles. NAR's campaign includes commercials on national television—both network and cable—and on network radio. The ads in all formats—television, radio, print, outdoor, posters and Web banners—are available for state associations and local boards to run in their own areas.

NAR established the Campaign to convince home buyers, sellers and investors about the value of working with a REALTOR®. Last year, the campaign expanded its messages to educate consumers about the benefits of homeownership and buying opportunities in a changing real estate market.

The 2009 Public Awareness Campaign commercials focus on motivating buyers into the market. New TV ads, in tandem with new radio spots and print materials, explain the buyer opportunities available in many of today's real estate markets, convey the financial and social benefits of owning a home, and continue to emphasize the importance of working with a REALTOR®.

And in an ongoing effort to educate buyers about the opportunities in today's market, the campaign is running new TV and radio ads that reinforce messages about the temporary \$8,000 tax credit, and urges them to contact a REALTOR® to help them realize their dreams of homeownership.

Public Awareness Campaign ads will be broadcast nationwide from January through November, continuing the campaign's on-air presence for 11 months of the year. Campaign ads will air more than 10,000 times on national TV and radio outlets. [http://www.realtor.org/pac.nsf/files/National\\_Media\\_Plan.xls/\\$FILE/National\\_Media\\_Plan.xls](http://www.realtor.org/pac.nsf/files/National_Media_Plan.xls/$FILE/National_Media_Plan.xls)

The National Association of REALTORS®' Board of Directors established an assessment level of \$35 for 2009 when it approved the current 3-year budget (2008-2010) during the Midyear Meetings in May 2007.

To continue and build upon the success of the campaign, as detailed below, the campaign must keep up with rising advertising costs—the price of television and radio media has increased 65 percent since 1998. In addition, advertising was previously off-air in the winter months during a period of the year when 34 percent of all homes are sold.

This seasonal shutdown reduced consumer awareness generated in the previous months and left REALTORS® open to criticism that went unanswered—FSBO sites and detractors advertise year-round and get a free shot at NAR and organized real estate when we are not on-air.

The additional funds will allow the campaign to keep pace with media inflation and continue the year-round effort begun last year that has significantly increased its reach and impact with consumers, driving home the value of homeownership and importance of hiring a REALTOR®.

Research shows that the Public Awareness Campaign is accomplishing its goal. Our most recent tracking study found that the percentage of consumers that would use a REALTOR® to buy or sell a home has increased significantly over the past five years, from 50 percent in 2001 to 74 percent today - an all-time high.

In addition, it's persuading consumers of the value of homeownership. According to the same tracking survey, 71 percent of consumers strongly agree that owning a home helps build long-term wealth.

The Public Awareness Campaign is also one of NAR's most popular membership services. According to the latest membership survey, 96 percent of all members like the ad program and 89 percent would like to see even more advertising than is currently run.