

## **News Briefs for GCBR Members – January 2007**

### **2006-07 REALTOR® Dues**

Effective January 1, 2007 total amount to members for unpaid dues will be \$489.78.

### **Membership**

#### **Transfers**

Carol DiCenso to ReMax Lake Connections

#### **Inactive**

Sue Green, Coldwell Banker Deep Creek Realty

Cathy Mitchell, ReMax Lake Connections

Melissa Munson, Secondary Member, Long & Foster Frederick office

Doug Scheaffer, Coldwell Banker Deep Creek Realty

### **Government Affairs Committee Report – Paul Durham, G.A.D.**

#### **Comprehensive Plan Process – Growth Analyses**

The Garrett County Planning Commission is soliciting comments on the growth analyses that were recently prepared by the Md. Department of Planning and ERM. Your Board has reviewed the reports and will be submitting detailed comments and suggestions on them. The focus will be on recommending that additional information be sought and considered before the county begins to formulate plan recommendations to address or control perceived growth.

John Nelson (Director - Planning and Land Development) has suggested that interested parties should continue to submit comments regarding the planning process now. As time goes by and the Planning Commission continues its work, it becomes harder to affect the process. Member Realtors® are encouraged to become familiar with the plan and submit their individual comments in areas of interest.

Mr. Nelson noted that House Bill 1141, which was passed in the last legislative session and signed into law by Governor Ehrlich, requires the county to now include agricultural and forest preservation measures in its comprehensive plans. This aspect of the plan might be controversial depending on how far the preservation measures extend into zoning or land use regulation changes.

#### **Allegheny Power / American Electric Power – south county transmission lines**

Allegheny Power held an open house at Southern rescue Squad on December 7. The information presented was very similar to that which is available on the internet at <http://www.alleghenypower.com/TrAIL/TrAIL.asp>. Allegheny has indicated that they do have more detailed mapping available (could be seen at the public meeting) and that it

will soon be posted on the web site. This mapping will give property owners and Realtors® the opportunity to see what specific properties will be impacted by the four proposed options for eventual line placement.

The Allegheny proposal has received mixed reactions in other states.

The second company, American Electric Power, is proposing a similar line “I-765”. Details on this proposal as it affects local properties are still sketchy and can be found via the internet at <http://www.aep.com/about/i765project/faqs.asp> . As more information becomes available we will keep you updated.

### **Affordable Housing, Tax Rates and Transfer Taxes**

The board is preparing to meet with the County Commissioners in January to initiate a dialogue on these issues and to hopefully form a relationship where the GCBR and county can work together to achieve positive results that can benefit the real estate industry and local homeowners and buyers. We are awaiting confirmation from the commissioners on several proposed meeting dates.

Housing affordability is a national issue and one which the NAR, MAR and GCBR are participating with local and state governments to arrive at positive solutions.

### **TVRU Program**

Deputy Pat Kelly indicates that the county’s TVRU licensing and regulation program is going well and that the county is on target for the number of rental properties it was hoping to have registered by this time. Deputy Kelly indicates that almost all properties are able to conform to the ordinance. No problem areas or issues have been reported to the GCBR. If any are encountered, please contact Paul Durham at (301) 616-5704. The Board is tracking issues related to the TVRU ordinance implementation in the event that changes might someday be required or are proposed.

## **Education**

### **“Agency Law Review”**

Friday, January 12, 2007

10:30 – 12:00

Wisp Resort – Crawford Room

Instructor, Chuck Kasky

Approved for C.E. Topic A 1.5 hours

Cost \$10.00 (pre-registration required)

### **“Special Topics in Fair Housing”**

Friday, March 23, 2007

More information will follow in registration flyer at a later date

### **Legal/Legislative Update classes**

Friday, April 20, 2007

More information will follow in registration flyer at a later date

Instructor, Glendora Hughes

Approved for C.E. Topic C 3 hours

Instructor, Alvin Monshower, Jr.

6 hours

### **NAR's Safety Tip for Hosting and Open House**

Open houses are regular events for REALTORS®, but they expose you to potentially dangerous situations. Take these simple steps to help ensure your personal safety during these events.

- Inform a close neighbor that you will be hosting the open house, and ask if he or she would keep an eye and ear open for anything out of the ordinary.
- When you first enter an empty home, check each room and determine several escape routes. Make sure all deadbolt locks are unlocked to facilitate a faster escape. (Remember to lock up again when you leave!)
- Once you enter, turn on the lights and open the curtains. These are not only good safety habits, but can also help you sell the place.
- Scope out the backyard and make sure that if you had to escape by the back door, you could get out of the yard. Check any gates.
- Place one of your business cards, with the date and time written on the back, in a kitchen cabinet. Note on it if you were the first to arrive or if clients were waiting.
- When prospects begin to arrive, jot down their care descriptions, license numbers and physical descriptions.
- When you show a home, always let the prospect walk ahead of you. Direct them; don't lead them. Say, for example, "the kitchen is on your left," and gesture for them to go ahead of you.
- Notify someone in your office, your answering service, a friend or a relative that you will be calling in every hour on the hour. And if you don't call, they are to notify the police immediately.
- Don't assume that everyone has left the home at the end of your open house. Check each room and closet and the backyard prior to locking the doors. Check any windows or sliding doors to make sure they are still locked. Be prepared to defend yourself, if necessary.

### **GCBR Website – Member Information**

Need a member list? Go to the GCBR website at [www.gcbr.org](http://www.gcbr.org) enter the Member side and print a list of REALTOR® or Affiliate Members.

### **REALTOR® Political Action Committee (RPAC)**

NAR has set the GCBR RPAC goal this year at \$2,685.00 and to date GCBR Members have contributed \$1,155.00. Names of contributors are listed on the GCBR website at [www.gcbr.org](http://www.gcbr.org) . Some legislators are already talking openly about again introducing a proposal to tax commissions on real estate sales. If you have not done so, please consider making a contribution to assist GCBR in meeting our goal.

# **GCBR News Briefs – February 2007**

## **Welcome New Members**

### **REALTORS®**

Judith Fang, ReMax Lake Connections  
Gary Sabo, Long & Foster Real Estate

### **Affiliates**

Cliff Frohn  
MAC M4028-013 1<sup>st</sup> Floor  
Bel Air, MD 21014  
410-803-1907  
Fax: 410-803-1181  
[Cliff.a.frohn@wellsfargo.com](mailto:Cliff.a.frohn@wellsfargo.com)

### **Transfers**

Susann Roszell to Long and Foster Real Estate

### **Inactive**

Don Moreland, Moreland Real Estate  
Robin Moreland, Moreland Real Estate  
James Eber, United Country Humberson Homes  
Doug Smith, Taylor Properties (Secondary Member)  
Brenda Byrnes, Goodfellow Agency (Secondary Member)

## **Government Affairs Committee Report – Paul Durham, G.A.D.**

### **Comprehensive Plan Process – Growth Analyses**

We continue to closely monitor the comprehensive plan process.

The Planning Commission will be holding a “visioning” workshop at 7:00 PM on Monday, FEB 26 at the Garrett College auditorium. This workshop is being done in response to critical feedback that the Commission received at its January meeting. All Realtors® are encouraged to attend.

John Nelson and Clive Graham (ERM) have asked that we meet with them to discuss our recent comments and recommendations to the growth analyses that were done. A meeting has been scheduled with members of the Government Affairs Committee and Board on FEB 27.

The Planning Commission will be hearing a report from ERM on the issue of lake water quality on Tuesday, FEB 27 at 7:00 PM at the Continuing Ed building at Garrett College.

The Comprehensive Plan process includes a water component. Development within the watershed has an impact on lake water quality, so this is a significant element of the plan that we will be monitoring.

### **Pending Legislation**

John Nelson reports that there is a potential for legislation in the General Assembly for the creation of “Regional Planning Authorities” (RPAs) that would have oversight and approval/denial authority on development projects with a “regional impact”. For example, commercial projects over 20,000 square feet in size and residential subdivisions over 10 lots/homes would have to seek and receive approval from a new regional authority. These RPAs would also approve county comprehensive plans.

John expects that MACo (Md. Association of Counties) will oppose the idea. John also noted this idea was a dramatic departure from the tradition of local governing bodies having the final authority on these issues.

As of Jan 25, no legislation has been formally submitted in the General Assembly.

### **Allegheny Power / American Electric Power – south county transmission lines**

Allegheny Power has now posted their proposed transmission line routings at

[http://www.aptrailinfo.com/index.php?page=map\\_5](http://www.aptrailinfo.com/index.php?page=map_5)

You can download detailed .PDF maps of the proposed routings from this site. The maps are helpful for potential buyers and sellers, should a property be located within one of the proposed routes.

A second company, American Electric Power, has proposed a similar line “I-765”. No additional information has been made available. Information on this proposal can be found via the internet at <http://www.aep.com/about/i765project/faqs.asp> . As more information becomes available we will keep you updated.

### **Affordable Housing, Tax Rates and Transfer Taxes**

A meeting has been confirmed with the County Commissioners to provide us with an opportunity to provide input on three issues that effect real property and homeownership in Garrett County; the transfer tax rate, the real property tax rate, and affordable housing programs. Government Affairs Committee members will be meeting with the commissioners on Thursday FEB 8 to initiate a dialogue in these areas. Realtors® are also encouraged to individually lobby the commissioners for positive movement to reduce the tax burden on homeownership .

## **TVRU Program**

Deputy Pat Kelly reported out on the end of 2006 annual statistics on the TVRU program. Since April 2006, 410 units have been inspected with 336 of those receiving licenses. He expects the remaining to be licensed by July. Most units are easily brought into conformance after the inspection. A small problem has been encountered where lofts and other non-bedroom space have been converted to sleeping rooms, and the use needs to be modified to conform to county code. In the end, about 750 units should be licensed.

## **Education**

Please mark your calendar for the upcoming continuing education classes, more information will follow with registration flyers.

### **Membership**

#### **“Special Topics in Fair Housings”**

Friday, March 23, 2007

Will ‘O the Wisp

Instructor, Glendora Hughes

Approved for C.E. Topic C 3 hours

Sitzmark Room

#### **Legal/Legislative Update classes**

Friday, April 20, 2007

Garrett College

Instructor, Al Monshower, Jr.

6 hours

C.E. Room

### **Special Committees**

#### **“Professional Standards Seminar”**

Thursday, April 12, 2007

Cumberland Holiday Inn

MAR Instructors

9:15 – 12:30

*This is a required seminar for all Board of Directors, Grievance and Professional Standards Committee members.*

## **Mileage Rate Increase**

**IRS ANNOUNCES 2007 STANDARD MILEAGE RATE INCREASE** —Beginning January 1, 2007, the standard mileage rates for the use of a car(including vans, pickups and panel trucks) will be 48.5 cents per mile for business miles driven. For further information go to [www.irs.gov](http://www.irs.gov)

## **MAR NEWS**

**WATCH OUT FOR MORTGAGE FRAUD SCHEMES** -- Many REALTORS ® have alerted us to a proliferation of transactions involving what we believe to be illegal price inflation coupled with kick-backs to a buyer or entity controlled by the buyer. Please be advised that this is potential mortgage fraud. Also, there are other ways to perpetrate fraud. REALTORS ® should be vigilant in avoiding these schemes as they involve potential criminal liability if complicity in the fraud is proven. Please follow the link below for additional information.” <http://mdrealtor.org/pdf/MortFraud.pdf>

**LOGO AND LINK TO LEAGUE OF MD HOMEOWNERS available for downloading** --Publicize this link to your clients, customers and friends in upcoming newsletters, mailings or emails that YOU send:

<http://www.leagueofmarylandhomeowners.org> Put the link on your personal website and on your general marketing materials. Questions: Call Susan Mitchell at MAR, 800-638-6425.

**2007 CONFORMING LOAN LIMIT** --The Office of Federal Housing Enterprise Oversight has announced that the maximum 2007 conforming loan limits will remain at 2006 levels. The conforming loan limit defines the maximum mortgage size that Fannie Mae and Freddie Mac can buy or guarantee. The conforming loan limits are as follows: \$417,000 (one unit); \$533,850 (two units); \$645,300 (three units); \$801,950 (four units). Loan limits for one-to-four family home mortgages in Alaska, Guam, and the U.S. Virgin Islands are 50 percent higher than the conforming loan limit numbers above. The FHA and VA loan floors and high cost limits will also remain at 2006 levels. Under the FHA program there is no nationwide limit. HUD computes the individual limits by county. The agency is expected to announce limits for counties in a mortgagee letter before the end of December. For more info, contact: George Griffin at [ggriffin@realtors.org](mailto:ggriffin@realtors.org)

**CDA CLASSES OFFERED** -- The Community Development Administration (CDA) is offering morning training programs each month to explain its new loan products. Are you new to CDA? Need a refresher course? Want to talk to CDA staff? Here is your chance! This class is approved for 3.0 elective hours for Continuing Education for real estate licensees and mortgage lenders. Upcoming dates are: Wednesday, January 10, 2007; Tuesday, February 6, 2007; Time and location: 8:30 am – Noon, Maryland Department of Housing & Community Development, 100 Community Place, 1 st floor Main Conference Room, Crownsville, MD 21032, Registration required. Send email to: [cage-lewis@morehouse4less.com](mailto:cage-lewis@morehouse4less.com)

## **MRIS**

Income Tax Information - if you need a statement of annual MRIS expenses, go to [www.mris.com](http://www.mris.com) login, on right side of screen click on My Account and click Review Your Annual Statement.

### **Fair Housing Acceptable Words and Phrases**

Word/Phrase	Usage
Able-bodied	Usage NOT Acceptable
Active	Use with Caution
Adult living	Usage NOT Acceptable
Adult community	Usage NOT Acceptable
Adults only	Usage NOT Acceptable
African/Asian/Caucasian/Chicano/Chinese/Hispanic/ Indian/Irish/Latino/Mexican-American/Oriental/Puerto-Rican/ White (Ethnic references)	Usage NOT Acceptable
Agile	Usage NOT Acceptable
Bachelor	Usage NOT Acceptable
Bachelor pad	Usage NOT Acceptable
Board approval required	Use with Caution
Catholic	Usage NOT Acceptable
Close to _____	Use with Caution
Colored	Usage NOT Acceptable
Couple	Usage NOT Acceptable
Couples only	Usage NOT Acceptable
Credit check required	Usage Acceptable
Den	Usage Acceptable

Desirable neighborhood	Use with Caution
Domestic Quarters	Use with Caution
Empty nesters	Usage NOT Acceptable
Equal housing	Usage Acceptable
Exclusive	Usage NOT Acceptable
Executive	Usage NOT Acceptable
Family room	Usage Acceptable
Female(s) only/Female roommate (Gender)	Use with Caution
First time buyer	Usage Acceptable
Fixer-upper	Usage Acceptable
Gentleman's farm	Use with Caution
Golden agers	Use with Caution
Grandma's house	Use with Caution
Great for family	Usage Acceptable
Handyman's dream	Use with Caution
Healthy only	Usage NOT Acceptable
In-Law apartment	Usage Acceptable
Integrated	Usage NOT Acceptable
Jewish	Usage NOT Acceptable
Landlord (description)	Usage NOT Acceptable
Luxury town houses	Usage Acceptable
Male(s) only/Male roommate (gender)	Use with Caution
Mature couple	Usage NOT Acceptable
Mature individual	Usage NOT Acceptable
Mature person(s)	Usage NOT Acceptable
Membership approval required	Use with Caution
Mormon Temple	Usage NOT Acceptable
Mosque	Usage NOT Acceptable
Must be employed	Usage NOT Acceptable
Nanny Room	Usage Acceptable
(Nationality)	Usage NOT Acceptable
Near _____	Use with Caution
Near churches	Usage NOT Acceptable
Near country club	Use with Caution
Near golf course	Usage Acceptable
Near mass transit	Usage Acceptable
Near synagogue	Usage NOT Acceptable
Near temple	Usage NOT Acceptable
Neighborhood name	Usage Acceptable
Newly-weds	Usage NOT Acceptable
Nice	Usage Acceptable
No AIDS	Usage NOT Acceptable



No alcoholics	Usage NOT Acceptable
No blacks	Usage NOT Acceptable
No blind	Usage NOT Acceptable
No children	Usage NOT Acceptable
No crippled	Usage NOT Acceptable
No deaf	Usage NOT Acceptable
No drinkers	Usage NOT Acceptable
No drinking	Usage Acceptable
No drugs	Usage Acceptable
No drug users	Usage Acceptable
No impaired	Usage NOT Acceptable
No mentally handicapped	Usage NOT Acceptable
No mentally ill	Usage NOT Acceptable
No play area	Usage NOT Acceptable
No retarded	Usage NOT Acceptable
No smoking	Usage Acceptable
No students	Use with Caution
No unemployed	Usage NOT Acceptable
Not for handicapped	Usage NOT Acceptable
Number of bedrooms	Usage Acceptable
Number of Persons	Use with Caution
Nursery	Usage Acceptable
Nursing Home	Usage Acceptable
Older person	Usage NOT Acceptable
On bus route	Usage Acceptable
One child	Usage NOT Acceptable
One person	Usage NOT Acceptable
Physically fit	Usage NOT Acceptable
Play area	Usage Acceptable
Prestigious	Use with Caution
Privacy	Usage Acceptable
Private driveway	Usage Acceptable
Private entrance	Usage Acceptable
Private setting	Usage Acceptable
Quality construction	Usage Acceptable
Quiet	Usage Acceptable
Quiet tenants	Usage NOT Acceptable
Quality neighborhood	Use with Caution
Quiet neighborhood	Use with Caution
Reference required	Usage Acceptable
Retirees*	Use with Caution
Sane tenant only	Usage NOT Acceptable

School district	Usage Acceptable
School name	Usage Acceptable
Secure	Use with Caution
Security provided	Usage Acceptable
Senior discount	Usage Acceptable
Seniors*	Use with Caution
Senior citizens*	Use with Caution
Senior housing*	Use with Caution
Shrine	Usage NOT Acceptable
Single woman/man	Use with Caution
Singles only	Usage NOT Acceptable
Single person	Usage NOT Acceptable
Sophisticated	Use with Caution
____ square feet	Usage Acceptable
Stable	Usage NOT Acceptable
Starter home	Usage Acceptable
Students	Use with Caution
Tenant (description of)	Usage NOT Acceptable
Traditional style	Usage Acceptable
Tranquil setting	Usage Acceptable
Two people	Use with Caution
Verifiable income	Usage Acceptable
View of ____	Usage Acceptable
White only	Usage NOT Acceptable
With View	Usage Acceptable
Within walking distance	Use with Caution
Woman (women) only	Use with Caution

- Must meet Fair Housing Act housing requirement criteria for "housing of older persons".
- Information obtained from MRIS>Compliance>Fair Housing [www.mris.com](http://www.mris.com)

## **NAR TIPS**

### **REALTOR® Safety: A Year Round Priority**

A distress code is a voice distress code, a word or phrase that is not commonly used but can be worked into any phone or in-person conversation for cases where you feel that you are in danger. Use this code if the person you are with can overhear the conversation, but you don't want to alarm them.

Here are the steps to setting up and using a distress code:

1. Choose a distress code word or phrase and share it with your colleagues, friends and family - anyone you might call in an emergency situation. Your distress code should be something simple, something that makes sense to you

and is easy to remember, and something that will not alert your “distressor”. Examples of distress codes: “Hi, this is Jane. I’m at [address]. Could you look up something in the RED FILE for me?” Or, “I’m with Mr. Henderson, and I just realized that I can’t find my BLACKBERRY. Can you see if I left it there?” (Assuming you don’t have a Blackberry) It may make the most sense for everyone in your office to share a single distress code; this will be easiest to remember for everyone.

2. Share and practice your distress code with your office, your colleagues and your family and friends. You may have a designated person you plan to call, but circumstances may change that; it’s best to have several people prepped and ready to receive a call with your distress code.
3. The colleague who receives your call with the distress code will then be alerted that you may be in danger. At your pre-arranged signal, they will know to call 911 on your behalf, or, after asking a few careful questions, can arrange to meet you so that you are not alone, or call you back and ask you to return to the office to respond to an “emergency situation.”

When should you use the distress code? In situations where you are uneasy, but do not feel you are in danger. If you are in immediate danger – stop the care and leave the area, or jump out of the care at the next stop. Also, don’t hesitate to call 911 in an emergency.

**Think Spring!**

# **GCBR News Briefs – March 2007**

## **Membership Update**

### **REALTORS®**

Cambria Harman, Long and Foster Real Estate

### **Inactive Membership with GCBR**

Michelle McGreagor, Long and Foster Real Estate

### **Inactive Affiliate Membership with GCBR**

Emily Berry, Lakeside Home Inspections

## **Government Affairs Committee Report – Paul Durham, G.A.D.**

### **Comprehensive Plan Process – Growth Analyses**

The Planning Commission held a “visioning workshop” on FEB 26 at Garrett College. This workshop was in response to critical feedback that the Commission received at its January meeting. A number of local Realtors® attended. A report to the Board to follow.

Members of the Board and Government Affairs Committee met with John Nelson and Clive Graham (ERM) on FEB 27 to discuss the Board’s recent comments and recommendations to the growth analyses that were done. A report to the Board to follow.

Paul Durham attended the ERM public meeting on the issue of lake water quality on FEB 27 at Garrett College. The Comprehensive Plan process includes a water resource component. Development within the watershed has an impact on lake water quality, so this is a significant element of the plan that we will be monitoring. ERM’s preliminary summary said that “The potential development in the Deep Creek Lake watershed is likely to have only a minor impact in terms of trophic status”.

### **Pending Legislation**

In our last update, we reported about the potential for legislation in the General Assembly for the creation of “Regional Planning Authorities” (RPAs) that would have oversight and approval/denial authority on development projects with a “regional impact”. For example, commercial projects over 20,000 square feet in size and residential subdivisions over 10 lots/homes would have to seek and receive approval from a new regional authority. These RPAs would also approve county comprehensive plans.

As of this writing, no legislation has been formally submitted in the General Assembly.

## **Allegheny Power / American Electric Power – south county transmission lines**

Allegheny Power has sent out a memo noting updates to the “TRAIL” transmission line routings. To see if the routes impact a listing, Realtors® can access the latest routings at... [http://www.aptrailinfo.com/index.php?page=map\\_5](http://www.aptrailinfo.com/index.php?page=map_5)

American Electric Power has proposed a similar line “I-765”. No additional information has been made available. Information on this proposal can be found via the internet at <http://www.aep.com/about/i765project/faqs.asp> . As more information becomes available we will keep you updated.

## **Affordable Housing, Tax Rates and Transfer Taxes**

Board and Government Affairs Committee members had a very engaging meeting with the County Commissioners on FEB 8 to discuss several issues that effect real property and homeownership in Garrett County; the transfer tax rate, the real property tax rate, and the recordation tax. Discussions also included ways that the county can reduce the DPU fee and charges to ease the burden when new service goes into an area. As was requested by the commissioners, the Board followed up with a letter summarizing our position. The Board of Realtors® is asking the commissioners to consider reducing the real property tax rate, to reduce the transfer tax rate to be on par with neighboring counties at 5% and to increase the exemption for owner occupied homes, and to seek reduction or exemptions to the recordation tax rate, now set at 7%.

## **Zoning Ordinance Amendment**

The County Commissioners are reviewing an amendment to the Deep Creek Watershed Zoning Ordinance that deals with how lots are treated when a zoning district line divides a lot or property. The current ordinance under section 301.b allows a property owner to choose the least restrictive standard under certain conditions, for a distance of 50’ from the district boundary, if the parcel was in single ownership when the ordinance was originally enacted. The revised language takes away the provision that requires the lots to be in common ownership at the effective date of the ordinance. It would only require single ownership to apply with no date restriction.

## **Education**

### **Membership**

#### **“Tax Reduction Strategies Seminar”**

Wednesday, March 14, 2007

Board Office Conference Room

Instructor, Maury Scarborough

No charge - **Class is full**

10:00 am – 11:00 am

#### **“Special Topics in Fair Housing”**

Friday, March 23, 2007

Will “O the Wisp – Sitzmark Room

Instructor, Glendora Hughes

Approved for C.E. Topic C 3 hours

8:45 am – 12:00 noon No charge

**“Environmental Legal Issues”**

Friday, April 20, 2007  
Garrett College Room 205

Instructor, Al Monshower, Jr.  
Approved for C.E. Topic A 3 hours  
8:45 am – 12:00 noon Cost \$50.00

**“Recurring Legal Issues 2007”**

Friday, April 20, 2007  
Garrett College Room 205

Instructor, Al Monshower, Jr.  
Approved for C.E. Topic A 3 hours  
1:00 pm – 4:15 pm Cost \$50.00

**Package deal for Al Monshower, Jr. classes, save \$10.00 – take both sessions (6 hours) morning continental breakfast included for \$90.00 – flyers have been mailed.**

**Special Committees**

**“Professional Standards Seminar”**

Thursday, April 12, 2007  
Cumberland Holiday Inn

MAR Instructors  
9:15 am – 12:30 pm

*This is a required seminar for all Board of Directors, Grievance and Professional Standards Committee members.*

**Maryland Continuing Education Requirements**

A 3-clock hour course in real estate ethics approved by the commission every 2 years (includes the Maryland code of ethics and a discussion of the practices of flipping and predatory lending).

To qualify for renewal of a license a licensee shall complete at least 15 clock hours of continuing education instruction during the preceding 2-year term.

HOWEVER, a licensee who has been licensed 10 years or more on the date of renewal has a phase-in period and shall complete the following:

- At least 6-clock hours of continuing education instruction, if the licensee renews the license on or before October 1, 2006
- At least 9-clock hours of continuing education instruction, if the licensee renews the license on or before October 1, 2008; or
- At least 15-clock hours of continuing education instruction ,if the licensee renews the license on or after October 2, 2008

Within the required clock hours, you *must* have completed 3 hours of Topic A “Legal”, 1.5 hours of Topic C “Fair Housing”, and 3 hours of Topic D “Ethics”.

**Habitat for Humanity Challenge**

One of the main goals for GCBR is to promote affordable housing in Garrett County and what better way for you as a member to show your support by making a contribution to our local Habitat for Humanity and/or participating in the construction of a new home for a local family.

The GCBR Board of Directors approved to match member contributions up to \$2,500.00 and you can make your check payable to Garrett County Habitat for Humanity and send them to the Board office. No contribution is too small!

*GCBR Habitat Hands-On Work Day is scheduled for Saturday, March 10, 2007 beginning at 8:00 am at the Simon Pearce Building.* Workers will be constructing walls for a new home to be completed soon. Even if you can only give an hour or so of your time, come out and help us, local church members will provide lunch. Call the Board office and let Barb or Heather know if you can participate in the Work Day.

## MRIS

### Matrix Wireless

MRIS announces the availability of an **ALL NEW** release of Matrix Wireless, the Web based system allowing you quick and easy access to MRIS content from your wireless device – anytime, anywhere there is cellular/wireless coverage.

### Matrix Wireless Upgrade Highlights

- Quickly view all recent changes in the MLS database with the 24 hour hotsheet
- Search agent and office roster data
- Take advantage of additional property search options
- View more results. Retrieve up to 100 listing matches per search, sorted by Status, Price and Address
- Access even more listing data with listing details unique to property type
- Instantly email listing information with property photo to prospects and clients

If you're an existing Matrix Wireless user, you can **access the new service TODAY** by going to <http://matrixwireless.mris.com>

If you haven't used Matrix Wireless before, you can register now by clicking the **HELP** tab of Matrix. Scroll down and click **Wireless Application**, under Matrix Wireless.

Matrix Wireless is available to MRIS customers at no additional charge.

If you have any questions regarding Matrix Wireless, please contact the Matrix Wireless toll-free support number at 1-866-304-0080.

### MRIS Training Classes

Remember, MRIS is now offering the new customized LAB classes in addition to many Matrix and Keystone classes already on their schedule. A schedule of classes held at the GCBR Board office can be found on the MRIS website. Go to [www.mris.com](http://www.mris.com) click on Training, Enroll in a Class, make your selection and follow instructions to register for a class.

## **GCBR News Briefs – April 2007**

### **Membership Update**

#### **New REALTOR® Members:**

Lisa Mauricci, Goodfellow Real Estate Services

Latricia McKenzie, Long and Foster Real Estate

#### **Transfers:**

Melissa Pritt to Cathy Teets & Associates

Jerry Gagnon, to Coldwell Banker Deep Creek Realty

#### **New Affiliate Members:**

Gary Sabo

RGS Title

PO Box 365

McHenry, MD 21541

240-750-0810

[gsabo@rgstitle.com](mailto:gsabo@rgstitle.com)

### **Government Affairs Committee Report – Paul Durham, G.A.D.**

#### **Comprehensive Plan Process**

Paul Durham along with several members of the Board and the Government Affairs Committee, met with John Nelson (Planning and Land Development) and Clive Graham (ERM) in late February. Following that meeting, and at John Nelson's encouragement, we developed a presentation for the county's public meeting on March 27 on rural growth and development.

The GCBR is encouraging the county to look at alternative ways of preserving rural lands that protect the landowners' equity, including TDRs (Transferable Development Rights), PDRs (Purchase of Development Rights), incentives for clustering, tax incentives and better coordination with towns and Priority Funding Areas. The overall goal is to provide landowners flexibility in reaching their individual goals.

There is significant environmentalist pressure on the county to reduce residential densities in agricultural and rural zones. However, the state's Office of Planning notes that the densities being put forward will do little, if anything, to protect farmland. State law now requires counties to include an agricultural and forest land preservation element in their comprehensive plans.

Date to watch – On Friday May 4, 2007 at 7:00 PM and on Saturday May 5, 2007 at 10:00 AM, the county will be holding a "McHenry Charette" with the future plans for of the McHenry area.



Realtors® are encouraged to follow the planning process. More information can be found on the internet at

<http://www.co.garrett.md.us/PlanningLand/PlanningZoning/Planning.aspx>

### **Pending Legislation**

Although we are limited in our involvement because of the distance to Annapolis, MAR has been working diligently on a number of bills/legislation that effect Realtors®. The most significant is the legislation dealing with a new tax on commissions – HB448. Many thanks to Susan Mitchell and the team in Annapolis for all of their hard work representing us.

### **Affordable Housing, Tax Rates and Transfer Taxes**

Paul Durham had a follow-up meeting with Commissioner Glotfelty, which will need to be followed by a more formal meeting with GCBR and the commissioners later this spring. Since the county budget had been mostly fixed by the time we proposed changes to the tax rates, our focus will need to be on FY09. It appears that the county's capital budget continues to draw significantly on available funding. Relaxing tax rates will need to follow reductions in that area of the budget.

### **Economic Impact of Real Estate Report**

We have updated our annual report on The Contribution of Real Estate to the Garrett County Economy. The report can be found on the GCBR web site. Copies of the report have been shared with the county commissioners and will soon be given to the Planning Commission. The report supports our message that the real estate industry provides substantial benefits to the Garrett County economy and that land use and regulatory decisions need to include consideration on how these benefits might be impacted. The data in the report also supports our efforts to encourage the county to reduce property, transfer and recordation tax rates.

### **Oakland Annexation and Bypass**

Informational item - many Realtors® might be watching the development of a potential new site for a Lowes store just north of Glotfelty Tires on Route 219. On March 19, the Oakland Town Council held a public hearing on an annexation of this property, which is separated from the town limits by ½ to ¾ mile distance. The State Office of Planning has informed the town council that the annexation is inconsistent with state law and the county's comprehensive plan. The council tabled the matter for a vote at a future meeting, but did not withdraw it.

At our Board meeting on March 7, there was discussion on whether the GCBR should take a position one way or the other on the proposed Oakland Bypass. The board voted to take no position on the matter.

### **Workforce Housing Certification (WHC)**

The Workforce Housing Certification (WHC) will be held on May 3<sup>rd</sup> and May 4<sup>th</sup> at Garrett College, cost \$20.00 per day which includes morning and afternoon refreshments, lunch and course materials. Registration flyers have been emailed to all members. Deadline to register is April 23, 2007. Seating is limited to 50 students!

### **MAR – REALTORS® Rally at State House**

As legislators crossed Layers Mall to go into their business sessions, REALTORS® formed a gauntlet to greet them chanting, NO SERVICE TAX! NO SERVICE TAX! Over 500 REALTORS® turn out at the State House on March 14<sup>th</sup> to express opposition to HB448 which would expand the list of business taxed on service to include real estate. See the entire story and rally photos at the Maryland Association of REALTORS® website [www.mdrealtor.org](http://www.mdrealtor.org)

### **NAR Member Benefits Program**

The National Association of REALTORS® Member Benefits Program offers member discounts from participating businesses such as Lowe's, Chase Card, Federal Express, Pitney Bowes, Xerox and more. Visit [www.realtor.org](http://www.realtor.org) scroll to the bottom of the home page, left side of the screen and select Realtor® Benefits.

# Garrett County Board of REALTORS®

GCBR News Briefs - May 2007

Volume 1, Issue 1

May 1, 2007

## Membership Update

### **New REALTOR® Members:**

- \* Winona Thomas  
Coldwell Banker Deep Creek Realty
- \* Brenda Shields  
Coldwell Banker Deep Creek Realty
- \* Elizabeth McDonald  
Long & Foster
- \* Robb Taylor, Broker  
Taylor Properties  
2042 Somerville Road  
Annapolis, MD 21401  
301-970-2447  
Fax: 410-224-7265  
info@annearundelproperties.com

### **Transfers:**

- \* Robb Lindsey to Taylor Properties
- \* Susan McGreal to Railey Realty
- \* Liz Rittenberger to Deep Creek Referral Co.

### **New Affiliate Members:**

- \* Peter Corum—The Corum Team  
Wells Fargo Home Mortgage  
237 W. Washington Street  
Charles Town WV, 25414  
304-724-4950  
peter.s.corum@wellsfargo.com

## Government Affairs Committee Report—Paul Durham, G.A.D.

### **Comprehensive Plan Process**

Paul Durham continues to monitor the comprehensive planning process. The Board submitted detailed comments on rural growth and development at a March 27 meeting at Southern High School. There appears to be controversy within the farming community on the best approach to preserving agricultural lands, a new required plan element. The GCBR is encouraging the county to look at alternative ways of preserving rural lands that protect the landowners' equity, including TDRs (Transferable Development Rights), PDRs (Purchase of Development Rights), incentives for clustering, tax incentives and better coordination with towns and Priority Funding Areas. The overall goal is to provide landowners flexibility in reaching their individual goals.

A new idea has surfaced where the county would regulate maximum lot size as well as density on rural lands, with the lot size conceivably being less than the density standard. The idea results in surplus land in a project that would remain as agriculture. According to John Nelson, the idea is circulating in the farming community. However, no consensus has developed on the issue. This idea is used elsewhere but we have found little information on its impacts to real estate.

Date to watch – On Friday May 4, 2007 at 7:00 PM and on Saturday May 5, 2007 at 10:00 AM, the county will be holding a “McHenry Charette” about the future plans for the McHenry area. Realtors® are encouraged to follow the planning process. More information can be found on the internet at

<http://www.co.garrett.md.us/PlanningLand/PlanningZoning/Planning.aspx>

## **Government Affairs Committee Report—Paul Durham, G.A.D. — Continued**

### **County Health Department – Re-evaluation of Older Perc Tests**

On April 3, Steve Sherrard and Rodney Glotfelty from the Health Department gave the County Commissioners a briefing on a change in procedure to re-evaluate perc tests that occurred before November 18, 1985. Evidently, they have been experiencing some problems in older subdivisions where septic systems are inadequate for the perc conditions that are present. Some of the data and perc testing procedures that they rely on are inadequate, and in many cases the perc tests were done by a builder, the developer or the landowner.

Under MDE law and regulations, the Health Department has authority to re-evaluate approvals when the soil/site information is considered unreliable or inadequate. MDE has been strongly encouraging the local office to start to address these problems. According to Rodney Glotfelty, most counties in Maryland now do this routinely.

According to the county, their goal is not to disapprove lots but to work with the landowner to arrive at an effective system. The change in procedure might impact almost 800 lots across the county. Steve Sherrard is developing new guidelines. We also understand that he has met with Realtors® and various brokers on the issue. We continue to monitor this and will report out when the new procedures have been developed.

### **Affordable Housing, Tax Rates and Transfer Taxes**

Paul Durham has been working with the GCBR Affordable Housing Committee on a number of ideas that would facilitate this idea. Some might require changes to county or town policies on how sewer, water, roads and other infrastructure is funded or completed.

According to sources on the county level, the capital budget seems to be consuming most of the additional tax revenue being generated by real property and transfer taxes. In addition, the county budget in these areas had been set in motion well before the new Board of Commissioners were seated. Our focus now seems to need to be FY09.

The county's budget can be viewed on the internet at

<http://www.co.garrett.md.us/Commissioners/FY08BudgetRequest.aspx>

### **Cross County Power Line Projects – AEP and TRAIL**

Over the past month, Allegheny Energy began seeking approvals from Virginia, Pennsylvania and West Virginia. According to the TRAIL website, it appears that some or most of the Maryland routing has been abandoned. An inquiry with Allegheny confirms that the route through Maryland has been abandoned.

American Electric Power has signed a memorandum of understanding with Allegheny Energy Inc. to form a joint venture company to build and own new electric transmission assets within the PJM Interconnection (PJM). Under the terms of the MOU, AEP and Allegheny will build 765-kilovolt (kV) transmission lines and related facilities to link AEP's Amos Station (near St. Albans, W.Va.) with Allegheny's proposed Kempton Station in Maryland. This line is separate and distinct from the TRAIL line noted above.

### **Economic Impact of Real Estate Report**

Our annual economic impact report was covered by the Cumberland Times News and The Republican. Planning and Land Development Director John Nelson's thoughts on the report and growth in general were also reported in the articles. Copies were also provided to the Planning Commission and the County Commissioners.

## MAR—Maryland Association of REALTORS®

### FROM THE DESK OF THE MAR PRESIDENT—Ilene Kessler

#### Why the League of Maryland Homeowners is important to you!

As you may know, the Maryland Association of REALTORS® recently created the League of Maryland Homeowners (LMH). This new organization is designed to help citizens press for solutions to the housing affordability crisis that is currently gripping our state. I have also found the LMH to be a great tool to cultivate and maintain contact with clients. I recently added a link to the LMH website on my business website and the response was overwhelming. Over 100 of my clients responded to let me know how important they thought this issue was and thanked me for providing them with information on housing affordability. LOGO AND LINK TO LEAGUE OF MD HOMEOWNERS available for downloading –Publicize this link to your clients, customers and friends in upcoming newsletters, mailings or emails that YOU send.:<http://www.leagueofmarylandhomeowners.org>. Put the link on your personal website and on your general marketing materials. Questions: Call Susan Mitchell at MAR, 800-638-6425.

#### HB 1288 REQUIRES NEW HOME BUILDERS TO USE REAL ESTATE LICENSEES

Legislation sponsored by Delegate Michael Vaughn (District 24) passed in the final hours of the 2007 Maryland General Assembly. It requires new home builders to use real estate licensees to sell new homes, although the builder/owner will not be required to be personally licensed. If signed into law by the Governor, the legislation will take effect October 1, 2007. For more information call Bill Castelli, Mark Feinroth or Susan Mitchell at 800-638-6425.

**MAR MEMBERS NEEDED FOR HABITAT FOR HUMANITY BUILD IN SLIDELL, LOUISIANA**, May 20-26, 2007, MAR will provide for hotel and meals for the first 20 participants who require financial assistance to make this trip! You must book and pay for your own transportation. To reserve your spot and take advantage of the lodging assistance, please contact Steve Fox: 301-695-4744. If you can't make the trip and still wish to make a donation, please contact [fern.dannis@mdrealtor.org](mailto:fern.dannis@mdrealtor.org)

## MRIS

#### MRIS—Email Account

In direct response to customer feedback requesting larger Inboxes, increased functionality, enhanced spam filtering and virus control, MRIS will upgrade its mris.com email product at the end of April, 2007. Account holders were polled as to when the transition would be most convenient and opted for a weekend timeframe.

#### May 19 has been selected for implementation.

Like the email service currently provided, the new functionality will be available to MRIS customers at no additional charge and will offer 3 mailboxes per user.

Unlike the current email service, the new program has the latest user-friendly features, commonly associated with familiar programs such as Outlook:

- *Inbox storage capacity will increase to a whopping 200 MB, 20x more space than the current system offers*
- *Out-of-Office auto responses*
- *Increased spam filtering and control –create your own Safelists and Blacklists*
- *Frequent Contacts and Group Email lists*
- *Calendar enhancements: Appointment invitations and Reminder options*
- *Task Lists, with or without reminders*
- *Auto Notification heads-up before Inbox fills*

In preparation for the implementation, you may wish to begin sorting the email currently contained in your Quarantine Box; save desired items in designated folders and delete unwanted messages.

There will be some slight changes in the way in which you access your account when the new system is implemented. Details will be released in a future Product Update.



## NAR—National Association of REALTORS®

### **The NAR Code of Ethics Meets the Electronic Age—REALTORS® Beware! .By: Alvin C. Monshower, Jr. Esq.**

The National Association of REALTORS® has amended the NAR Code of Ethics to establish the ethical obligations of REALTORS® to comply with the Code of Ethics in all electronic communications, which includes website of REALTORS®.

The revisions to the NAR Code of Ethics became effective January 1, 2007 and represent the most wide-sweeping revisions to the Code of Ethics in over a decade. As a result of the NAR revisions to the Code of Ethics, there are now seven (7) new Standards Of Practice and one (1) revised Standard Of Practice which impose ethical obligations upon REALTORS® in connection with electronic communications over the internet and ethical obligations regarding websites maintained by REALTORS®

The preamble to the NAR Code of Ethics was revised to establish the basic tenets as encompassed by the broad revisions to the NAR Code of Ethics.

Specifically, the preamble has been amended to provide that “...REALTORS® pledge to observe the spirit of the Code of Ethics in all of their activities, whether conducted personally, through associates or others, or via technological means, and to conduct their business in accordance with the tenets set forth in the Code of Ethics.”

The seven (7) new Standards of Practice include the following:

#### **Standard of Practice 1-2**

The duties imposed by the Code of Ethics encompass all real estate-related activities and transactions whether conducted in person, electronically, or through any other means.

#### **Standard of Practice 9-2**

When assisting or enabling a client or customer in establishing a contractual relationship (e.g., listing and representation agreements, purchase agreements, leases, etc.) electronically, REALTORS® shall make reasonable efforts to explain the nature and disclose the specific terms of the contractual relationship being established prior to it being agreed to by a contracting party. (Adopted 1/07)

#### **Standard of Practice 12-8**

The obligation to present a true picture in representations to the public includes information presented, provided, or displayed on REALTORS® websites; REALTORS® shall use reasonable efforts to ensure that information on their websites is current. When it becomes apparent that information on a REALTORS®’s website is no longer current or accurate, REALTORS® shall promptly take corrective action. (Adopted 1/07)

#### **Standard of Practice 12-9**

REALTOR® firm websites shall disclose the firm’s name and state (s) of licensure in a reasonable and readily apparent manner. Website of REALTORS® and non-member licensees affiliated with a REALTORS® firm shall disclose the firm’s name and that REALTOR®’s or non-member licensee’s state (s) of licensure in a reasonable and readily apparent manner. (Adopted 1/07)

#### **Standard of Practice 12-10**

REALTORS®’ obligation to present a true picture in their advertising and representations to the public includes the URLs and domain names they use, and prohibits REALTORS® from:

- 1) engaging in deceptive or unauthorized framing of real estate brokerage websites;
- 2) manipulating (e.g., presenting content developed by others) listing content in any way that produces a deceptive or misleading result, or
- 3) deceptively using metatags, keywords or other devices/methods to direct, drive, or divert Internet traffic, or to otherwise mislead consumers. (Adopted 1/07)

#### **Standard of Practice 15-2**

The obligation to refrain from making false or misleading statements about competitors’ businesses and competitors’ business practices include the duty to not knowingly or recklessly repeat, retransmit, or republish false or misleading statement made by others. This duty applies whether false or misleading statements are repeated in person, in writing, by technological means (e.g., the Internet), or by any other means. (Adopted 1/07)

## The NAR Code of Ethics Meets the Electronic Age—REALTORS® Beware! - Continued

In addition to the seven (7) new Standards Of Practice, SOP 12-5 has now been revised to read as follows:

### Standard of Practice 12-5

REALTORS® shall not advertise nor permit any person employed by or affiliated with them to advertise listed property in any medium (e.g., electronically, print, radio, television, etc.) without disclosing the name of that REALTOR®'s firm in a reasonable and readily apparent manner. (Adopted 11/86, Amended 1/07)

The new Standards Of Practice and revised SOP 12-5 now require communications, transactions, and information as transmitted electronically through the internet as well as the operation of REALTORS®' websites.

Of particular importance is SOP 15-2 which prohibits REALTORS® from knowingly or recklessly repeating, retransmitting or publishing false or misleading statements made by others. Accordingly, REALTORS® should not forward e-mails about other REALTORS® by and through the internet unless the REALTOR® wishes to be subject to ethical violation for republishing a false or misleading statement about other REALTORS®, even though made by third persons.

REALTORS® are encouraged to read and fully understand the changes in the NAR Code of Ethics and conform their business practices accordingly.

The electronic age has finally caught up to the NAR Code of Ethics. Now it is the obligation of REALTORS® to catch up with the new NAR Code of Ethics regarding electronic communications and transactions.

(By Alvin C. Monshower, Jr., Esquire, Monshower, Miller & Magrogan, LLP. This article is intended to be a general discussion of topic. As with all legal matters, the reader should consult with competent legal counsel regarding any actual situations or questions.)

### MISSION STATEMENT

The mission of the Garrett County Board of REALTORS® is to enhance our members' ability to conduct business professionally, ethically and profitably and promote the image of REALTORS® as knowledgeable practitioners essential to the real estate transaction. Through our educational and informational endeavors we foster career advancement, real estate practices and enforcement of the Code of Ethics as set forth by the National Association of REALTORS®

### GENERAL OBJECTIVES

- To encourage the highest level of competency, integrity, and fair and ethical business practices.
- To promote affordability and availability of housing and private property.
- To create a regulatory, legislative and judicial environment favorable to business.
- To provide programs, products and services to members.
- To recognize and accommodate new and emerging forces in the real estate industry.
- To increase public awareness and confidence in our members.
- To provide operational and administrative support for programs, committees, and affiliates.



Garrett County Board of REALTORS®

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# Garrett County Board of REALTORS®

GCBR News Briefs - June 2007

Volume, 1 Issue 1

June 1, 2007

## *Membership Update*

### *New REALTOR® Members:*

\* *Linda Harr, Coldwell Banker Deep Creek Realty*

\* *John DeWitt, Coldwell Banker Deep Creek Realty*

### *Transfers:*

*N/A*

### *New Affiliate Members:*

*N/A*

### *Drops:*

*N/A*

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## *Government Affairs Committee Report - Paul Durham, G. A. D.*

### **Government Affairs Director**

#### **TVRU Status**

I recently met with Deputy Pat Kelly to see how things were going with the TVRU program. Except for an occasional tenant complaint or issue, the program appears to be going smoothly from the county's perspective. Pat praised the work being done by the various rental agencies and the follow-up they have been making regarding tenant complaints. He feels that a good working relationship has developed with all involved.

#### **County Health Department - Sand Mound Systems**

Health Department Director Steve Sherrard mailed a letter to the Board on April 30 clarifying some misinformation that had allegedly been circulated by some Realtors®. The subject dealt with the estimated life of a sand mound septic system. I followed up with Mr. Sherrard and learned that there had been a few isolated situations where buyers might have been misinformed that sand mound systems had a shorter life expectancy than a conventional trench system. An inquiry on the matter had been to Mr. Sherrard by a developer. A copy of Mr. Sherrard's letter was circulated to the various brokers.

#### **Comprehensive Plan Process**

**McHenry Charette** - We participated in a "McHenry Charette" on Friday May 4 and Saturday May 5, 2007 at Garret College. The purpose of the charette was to identify ideas and issues related to future growth and development in and around the McHenry area. The charette was well attended by a broad spectrum of citizens and interest groups. The



results of the event will soon be available on the county's web site and we will circulate that as soon as it is posted.

Several county staff members observed that they thought that there would be more active participation at the charette by Realtors® and developers/builders. They stressed that Realtors® are encouraged to individually follow and participate in the planning process.

**Ag Land Densities** - The Farm Bureau has formally come out in opposition to any changes to land use densities on agricultural land. The law requires the new comprehensive plan to address how agricultural and forestry land will be protected. The Planning Commission continues to wrestle with what changes to make, if any. The Farm Bureaus' position is similar to our prior comments to the Planning Commission. The GCBR has also stressed the need for a suite of options to be made available to rural landowners so that they can choose what best fits their individual goals.

More information about the comprehensive plan can be found on the internet at

<http://www.co.garrett.md.us/PlanningLand/PlanningZoning/Planning.aspx>

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**MAR ANNUAL CONFERENCE & TRADESHOW** September 10-12, 2007, Ocean City, MD. Register now for education classes & Fun Day Events. This year, online conference registration allows you to: Make any class changes online, Purchase additional tickets, Receive an improved Registration Confirmation: (Three-day Registration - \$225 now through August 15) **Once you have successfully entered your NRDS#, please review your Contact Information, and scroll down to "REGISTRATION TYPE" to choose the Registration type that applies to you. Then continue registering.**

#### **New MAR FREE TECHNOLOGY HELPLINE**

THE NEW MARYLAND REALTOR® TECHNOLOGY HELPLINE MAR has partnered with Matthew Ferrara and Company to bring you the industry's premier technical support and education service! Call (866) 638-4411. It is free to MAR members with unlimited calls. This is a \$35-\$40 "per call" savings if you've ever called a private technical support group.

**Have a question about Ethics, Professional Standards, or a Transaction dispute?** Visit our new Dispute Resolution tab on [www.mdrealtor.org](http://www.mdrealtor.org) and see what valuable resources are available for you, your customers, and your clients. Please contact Mackenzie at [mckenzie.wescott@mdrealtor.org](mailto:mckenzie.wescott@mdrealtor.org) for further assistance.

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## SUPRA Key

### Supra Key users iBox maintenance information:

iBoxes that have been issued to you from your Broker's inventory must be managed with correct information such as listing address, MLS number, etc. This can be done in your agent account on the KIM website at [www.supraekey.com](http://www.supraekey.com). You should keep information on your iBoxes current and correct.

If you transfer to another Brokerage firm, all iBoxes must be turned in to brokerage firm you are leaving or if you have sold properties and you are returning iBoxes to your office inventory, you must clean up your iBox inventory on your eKey and or Display key. You cannot simply delete these from the KIM website in your agent account without deleting them from your key. If you do not delete them from your key, each night when your key downloads updated information, it will put the assigned iBoxes from your key back into your agent account inventory on the KIM website.

To delete iBoxes from your ekey, go into ekey, click on #6 Manage Keyboxes, click on the iBox number you need to delete from your inventory, click Edit and then click Delete. When the nightly update is running, it will also delete these from your KIM website account.

To delete iBoxes from your Display key, select clear iBox listing data, enter shackle code, and point to iBox to process. At night when you update your Display key, it will also delete these from your KIM website account.



## E-Key

### Viewing showing activity

Each time your eKey software releases the key container in a KeyBox, the access is recorded in both the software and the KeyBox. There are four ways to view this showing activity information:

- Use the ShowingValue feature on the KIM website;
- Read your KeyBoxes to view the showing activity on your PDA;
- Request a report from the KIM voice access system; or
- If you have eKey Professional service, view showing activity in the eDATA application.

## ShowingValue

ShowingValue is a web application included in KIM that provides you with several enhanced showing features. You can receive e-mails automatically when you've had a showing, create customized showing reports, and e-mail updates to agents who've shown your listings.

ShowingValue also lets you send and receive showing feedback, add feedback about your listings for reporting to sellers, and have KIM remind you by e-mail to send feedback on properties you've shown.

You must add your KeyBoxes to your inventory in order for showing activity to appear in ShowingValue. Once you've added your KeyBoxes, you will receive a message on your PDA after you eSYNC that indicates how many times your listings have been shown since your last eSYNC. You can then go to the KIM website and view your showing activity in ShowingValue.

## Showing activity reports

The ShowingValue *Dashboard* provides a quick summary of the showing activity at your listings. The *Dashboard* displays on the main page after you log on to KIM.

The total number of showings displays on the first row of the Dashboard. To change the date range for the activity displayed on your Dashboard, click **Change Dashboard Date-Range**. Use the *Dashboard Date Range* dropdown menu to select the new date range, then click **Save Now** to activate the setting.

From your *Dashboard*, click the **View** button for a detailed *Showing Activity* report that includes the date/time of the showing, showing agent, KeyBox serial number, listing number, and listing address. From the *Showing Activity Report* screen, you can print or e-mail the report.

Click **Create New Report** to generate a new *Showing Activity* report for a specific KeyBox, listing number, or date range. In the *Configure Report* screen, select the report criteria then click **Continue**.

## E-mail notifications

ShowingValue lets you receive e-mail notifications for the following:

- When showings occur at your listings;
- When showing agents submit feedback about your listings;
- When you want reminders to submit feedback about properties you've shown; and
- When listing agents send messages about listings you've shown.

To opt-in to receive e-mails for any of these events:

1. Click **Settings** in the left-hand column of your screen under ShowingValue.
2. Check the *I want to receive an email...* box for each category that you want e-mail notifications for.
3. For *Showing* and *eFeedback* notifications, use the checkboxes and dropdown lists to specify the e-mail frequency.
4. In the *Also send a copy to:* (CC) box, enter any additional e-mail addresses you want to include in the notifications. If you are entering more than one e-mail address, use a comma or semicolon to separate the addresses.
5. Click **Save Now** when you are finished configuring your e-mail settings.

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**CAUTION:** Your e-mail address must be current at your Board/MLS in order for ShowingValue to work properly.

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To save your personal e-mail signature for e-mails you send through ShowingValue, enter your signature information in the *Personalized Email Signature* field and click **Save Now**.

## E-mailing showing agents

You can e-mail announcements or updates directly to agents who've shown your listings. Follow these steps to send an e-mail to showing agents.

**Note:** *Only the agents who've opted to receive listing update e-mails in the ShowingValue Settings screen will receive your e-mail.*

1. Click **Actions** in the left-hand column of your screen under ShowingValue.
2. Under *Actions*, click **Send an Email to Showing Agents**.
3. Select the listing by entering the KeyBox number or MLS number. You can enter the KeyBox number manually or select it from the dropdown list.
4. Select the date range for the showings at your listing. Select a range from the dropdown list, or *select specify date range* to enter your own dates. Click **Continue**.
5. Agents who've shown the listing are displayed. Select the agents you want to send an e-mail to by checking the boxes in the *Send Email* column. You can use the **Select All** and **Unselect All** links at the top of the column to select/deselect all agents at once. Click **Continue**.
6. In the *Compose Email* screen, type your e-mail in the *Comments* field. If you do not have a saved e-mail signature, enter the information in the *Personal Email Signature* field.

7. Click **Preview** to view your message before sending, and click **Send Now** to send the e-mail.

## Viewing eFeedback

eFeedback is information about a listing, including the buyer's interest level, how the buyer learned about the listing, and whether the price is within the buyer's range.

eFeedback sent by showing agents about your listing is displayed in the second row of your *Dashboard*. Click the **View** button to generate a detailed *eFeedback* report that includes the date/time of the showing, KeyBox serial number, showing agent, listing number, listing address, and the feedback received from the buyer. Click **Create New Report** to generate a new *eFeedback* report for a specific KeyBox, listing number, or date range.

If a showing agent is unable to send you eFeedback for one of your listing but provides feedback verbally, you can add the feedback to the listing in ShowingValue. If necessary, you can also edit eFeedback already received from a showing agent.

To add or edit eFeedback for a showing:

1. Click **Actions** in the left-hand column of your screen under *ShowingValue*.
2. Click **Add or Edit eFeedback on Your Listing**.
3. Locate the showing record and click the **Add** or **View/Edit** button.
4. Use the dropdown menus to enter or modify the feedback about your listing, then click **Save Now**.

## eFeedback reminders

Feedback reminders for the properties you've shown are displayed in the third row of your *Dashboard*. Click the **View** button to see detailed showing information for each reminder, including the date/time, listing number, KeyBox serial number, and listing address.

To respond to an eFeedback reminder, do the following:

1. Click the **Respond** button next to the showing record
2. Use the dropdown menus and *Notes* field in the *Enter eFeedback* screen to provide feedback to the listing agent.
3. Click **Send Now** to send your feedback.

To ignore an eFeedback reminder, click the **Ignore** button next to the showing record.



## Display Key

### Viewing showing activity

Each time your Display Key releases the key container in a KeyBox, the access is recorded in both your key and the KeyBox. There are three ways to view this showing activity information:

- Use the ShowingValue feature on the KIM website,
- Request a report from KIM voice access, or
- Read your KeyBoxes to transmit the showing information to your Display Key.

### ShowValue

ShowingValue is a web application included in KIM that provides you with several enhanced showing features. You can receive e-mails automatically when you've had a showing, create customized showing reports, and e-mail updates to agents who've shown your listings.

ShowingValue also lets you send and receive showing feedback, add feedback about your listings for reporting to sellers, and have KIM remind you by e-mail to send feedback on properties you've shown.

### Adding KeyBoxes to your inventory

You must add your KeyBoxes to your inventory in KIM in order for showing activity to appear in ShowingValue. Once you've added your KeyBoxes, you will receive a message on your Display Key after you eSYNC that indicates how many times your listings have been shown since your last eSYNC. You can then go to the KIM website and view your showing activity in ShowingValue.

To add your KeyBoxes to your inventory, follow these steps:

1. Go to [www.suprakey.com](http://www.suprakey.com).
2. Select **Log on to KIM**.
3. Select the name of your association or MLS from the dropdown list.
4. Enter your DisplayKey serial number and four-digit PIN code.
5. Click **Login**.
6. Click **Add New KeyBox** in the left-hand column under *KeyBox Inventory*.
7. Enter the KeyBox serial number, shackle code, and the listing ID where the KeyBox is assigned, then click **Add**.

Once the KeyBox is added, KIM asks if you'd like to view the KeyBox settings. Click **Yes** to view the settings, or **No** to view a list of KeyBoxes in your inventory. Repeat Steps 6 and 7 to add more KeyBoxes.



## Showing activity reports

The ShowingValue *Dashboard* provides a quick summary of the showing activity at your listings. The *Dashboard* displays on the main page after you log on to KIM. You can also access it by clicking **Dashboard** under *ShowingValue* in the left-hand column of your screen.

The total number of showing display on the first row of the *Dashboard*. To change the date range for the activity display on your *Dashboard*, click **Change Dashboard Date-Range**. Use the *Dashbaord Date Range* dropdown menu to select the new date range, then click **Save Now** to activate the setting.

From your *Dashboard*, click the **View** button for a detailed *Showing Activity* report that includes the date/time of the showing, showing agent, KeyBox serial number, listing number, and listing address. From the *Showing Activity Report* screen, you can print or e-mail the report. Click **Create New Report** to generate a new *Showing Activity* report for a specific KeyBox listing number, or date range. In the *Configure Report* screen, select the report criteria then click **Continue**.

## E-mail notifications

ShowingValue lets you receive e-mail notifications for the following:

- When showings occur at your listings;
- When showing agents submit feedback about your listings;
- When you want reminders to submit feedback about properties you've shown; and
- When listing agents send messages about listings you've shown.

To opt-in to receive e-mail for any of these events, do the following:

1. Click the **Settings** link in the left-hand column of your screen under *ShowingValue*.
2. Check the *I want to receive an email...* box for each category that you want e-mail notifications for
3. For *Showing* and *eFeedback* notifications, use the checkboxes and dropdown lists to specify the e-mail frequency.
4. In the *Also send a copy to: (CC)* box, enter any additional e-mail addresses you want to include in the notifications. If you are entering more than one e-mail address, use a comma or semicolon to separate the addresses.
5. Click **Save Now** when you are finished configuring your e-mail settings.

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**CAUTION:** In order to receive e-mail notifications, your e-mail address must be current at your Board/MLS.

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To save your personal e-mail signature for e-mails you send through ShowingValue, enter your signature information in the *Personalized Email Signature* field and click **Save Now**.

## E-mailing showing agents

You can e-mail announcements or updates, such as price reductions or rescinded offers, directly to agents who've shown your listings. Only the agents who've opted to receive listing update e-mails in the ShowingValue Settings screen will receive your e-mail.

To send an e-mail to showing agents, do the following:

1. Click the **Actions** link in the left-hand column of your screen under *ShowingValue*.
2. Under *Actions*, click **Send an Email to Showing Agents**.
3. Select the listing by entering the KeyBox number or MLS number. You can enter the KeyBox number manually or select it from the dropdown list.
4. Select the date range for the showings at your listing. Select a range from the dropdown list, or select *specify date range* to enter your own dates. Click **Continue**.
5. A list of agents who've shown the listing is displayed. Select the agents you want to send an e-mail to by checking the boxes in the *Send Email* column. You can use the **Select All** and **Unselect All** links at the top of the column to select/deselect all agents to once. Click **Continue**.
6. In the *Compose Email* screen, type your e-mail in the *Comments* field. If you do not have a saved e-mail signature, enter the information in the *Personal Email Signature* field.
7. Click **Preview** to view your message before sending, and click **Send Now** to send the e-mail.

## Viewing eFeedback

eFeedback is information about a listing, including the buyer's interest level, how the buyer learned about the listing, and if the price is within the buyer's range.

eFeedback sent by showing agents about your listings is displayed in the second row of your *Dashboard*. Click the **View** button to generate a detailed *eFeedback* report that includes the date/time of the showing, KeyBox serial number, showing agent, listing number, listing address, and the feedback received from the buyer. Click **Create New Report** to generate a new *eFeedback* report for a specific KeyBox, listing number, or date range.

If a showing agent is unable to send you eFeedback for one of your listings but provides feedback verbally, you can add the feedback to the listing in ShowingValue. If necessary, you can also edit eFeedback already received from a showing agent.



To add or edit eFeedback for a showing, do the following:

1. Click **Actions** under *ShowingValue* in the left-hand column of your screen.
2. Click **Add or Edit eFeedback on Your Listing**.
3. Locate the showing record and click the **Add** or **View/Edit** button.
4. Use the dropdown menus to enter or modify the feedback about your listing, then click **Save Now**.

## eFeedback reminders

Feedback reminders for the properties you've shown are displayed in the third row of your *Dashboard*. Click the **View** button to see detailed showing information for each reminder, including the date/time, listing number, KeyBox serial number, and listing address.

To respond to an eFeedback reminder, follow these steps:

1. Click the **Respond** button next to the showing record.
2. Use the dropdown menus and *Notes* field in the *Enter eFeedback* screen to provide feedback to the listing agent.
3. Click **Send Now** to send your feedback.

To ignore an eFeedback reminder, click the **Ignore** button next to the showing record.

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## NAR - National Association of REALTORS®

Each year since 2002, President Bush has designated **June** as **National Homeownership Month** with a goal to increase minority homeownership in America by 5.5 million by the end of the decade. And each year, in recognition of National Homeownership Month, NAR provides tools to Associations to assist REALTOR'S® to implement positive change within the community.

NAR has a wealth of resources and tools that support homeownership and strong communities, and in celebration of National Homeownership Month, REALTOR.org for more information.

### • Housing Opportunity • Diversity • Smart Growth

Learn how you can **help make the dream of homeownership a reality for all Americans**. Celebrate National Homeownership Month in June and throughout the year.

Visit [www.REALTOR.org/Homeownership](http://www.REALTOR.org/Homeownership) today to learn more!

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## MRIS

Reminder to all REALTORS® - if you have ownership in a property listed for sale, you **MUST** disclose you are a licensed real estate agent. Please check any listings you might have in MRIS to make sure you have made disclosure.

# Case Studies

## Interpretation of the Code of Ethics

### Case #6-5: Advertising Real Estate-Related Products and Services (Adopted November, 2006)

REALTOR® X, a principal broker in the firm XY&Z, prided himself on his state of the art website that he used both to publicize his firm and to serve the firm's clients and customers electronically. REALTOR® X maintained positive business relationship with providers of real estate-related products and services including financial institutions, title insurance companies, home inspectors, mortgage brokers, insurance agencies, appraiser, exterminators, decorators, landscapers, moving companies, and others. Given the volume of business REALTOR® X's firm handled, several of these companies advertised on the XY&Z home page and some of them, including the Third National Bank, included links to their own websites.

Buyer B, who had earlier entered into an exclusive buyer representation agreement with XY&Z, received frequent, automated reports from REALTOR® X about new properties coming onto the market. Hoping to purchase a home in the near future, he took advantage of REALTOR® X's rich website to familiarize himself with the real estate-related products and services advertised there. Hoping to expedite his purchase experience by pre-qualifying for a mortgage loan, Buyer B went to REALTOR® X's website and clicked on the Third National Bank's link. Once at the bank's website, he found a mortgage to his liking, completed the on-line application process, and learned in a matter of days that he was qualified for a mortgage loan.

In the meantime, Buyer B's property search guided both by REALTOR® X personally and through periodic updates from REALTOR® X's Web site, proved fruitful. REALTOR® X and Buyer B visited a new listing on Hickory Street several times. Buyer B decided it met his needs and made an offer which was accepted by the seller.

A few weeks after the closing, Buyer B hosted a housewarming attended by his friend D, a website designer who had, coincidentally been instrumental in developing REALTOR® X's website. Buyer B told D how helpful the information from REALTOR® X's website had been. "You know, don't you, that each time a visitor to REALTOR® X's website clicks on some of those links, REALTOR® X is paid a fee?" asked D. "I didn't know that" said Buyer B, "I thought the links were to products and services REALTOR® X was recommending."

Buyer B filed an ethics complaint against REALTOR® X alleging a violation of Article 6 for having recommended real estate products and services without disclosing the financial benefit or fee that REALTOR® X would receive for making the recommendation. At the hearing, REALTOR® X defended himself and his website, indicating that the advertisements for real estate-related products and services on his website were simply that, advertisements, and not recommendations or endorsements. He acknowledged that he collected a fee each time a visitor to his website clicked on certain

link, regardless of whether the visitor chose to do business with the “linked to” entity or not. “In some instances I do recommend products and services to clients and to customers. In some instances I receive a financial benefit; in others I don’t. But in any instance where I recommend a real estate-related product or service, I go out of my way to make it absolutely clear I am making a recommendation, and I spell out the basis for my recommendation. I also disclose, as required by the Code, the financial benefit or fee that I might receive. Those advertisements on my website are simply that, advertisements, no different than classified ads run in the local newspaper.”

The hearing panel agreed with REALTOR® X’s rationale, concluding that the mere presence of real estate-related advertisements on REALTOR® X’s website did not constitute a “recommendation” or “endorsement” of those products or services, and that the “click through” fee that REALTOR® X earned when visitors to his website linked to certain advertisers’ sites was not the type of financial benefit or fee that must be disclosed under Article 6.

# Garrett County Board of REALTORS®

GCBR News Briefs - July 2007

Volume, 1 Issue 1

July 1, 2007

## *Membership Update*

### *New REALTOR® Members:*

*Jack Cougle – Coldwell Banker Deep Creek Realty*

*Kayla Ely – Long & Foster Real Estate*

*Stacie Larew – Coldwell Banker Deep Creek Realty*

### *Transfers:*

*Carol DiCenso- Long & Foster Real Estate*

### *New Affiliate Members:*

*Kevin Brown – Chevy Chase Bank – Mortgage Division*

### *Drops:*

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## **Government Affairs Committee Report – Paul Durham, G.A.D.**

### **TVRU Ordinance – change in ordinance language being considered by the county**

The county is considering several changes to the county's TVRU ordinance. According to Deputy Pat Kelly, the changes are for clarification purposes only and they would result in no substantive changes to the ordinance. For example, the county feels that clarification is needed in how the ordinance defines what an emergency escape plan is and what is meant by egress from a bedroom (i.e. emergency escape). Suggestions are being received from the Health Department and the DCL Property Owners Association (POA).

The Health Department is proposing changes to certain process provisions to ensure that the ordinance is consistent with how they do business, particularly with allowing private testing of water quality.

Once language is developed, the GCBR will have the opportunity to review and comment.

### **Comprehensive Plan Process – Planning Commission tentatively adopts new land preservation strategy**

The Planning Commission met on June 13 and tentatively adopted a new approach to regulating agricultural and forest land in Garrett County. The county's consultant, ERM, developed the strategy with county staff and presented it to the Commission and the county commissioners. ERM needed guidance on how to proceed in this area as it drafts the new plan.

Summary of the new strategy:

1. Expand the **AR** (Agricultural Resource) and **RR** (Rural Resource) areas throughout the county to more accurately reflect existing farm and forest resources.

2. Implement new development standards in the **AR** and **RR** areas to protect resources -
  - Adopt maximum lot sizes, perhaps 1 acre, emphasize clustering, remove the existing density standards
  - Emphasize resource protection first versus home siting when laying out a subdivision
  - Establish minimum protection percentages for agricultural and forest resources – 75% to 80% of the tract, balance to be available for residential development at the maximum lot size (or less)
  - Subdivision layout should include consideration of the resources on the adjoining property, keep resource areas contiguous, use aerial photography
  - Reduce residential density (follows from above) to 1-unit per acre, a density change to 1-unit per 5 or 6 acres (from the current 3) gains little, the average lot size is now ~ 9 acres.
3. Alternative to #2 - Retain large areas for **R** (Rural classification area) type development (no maximum lot size). Satisfy the known market, preliminary indication this equals an 80-year supply. **AR** and **RR** areas receive more protection.
4. Support for agriculture (county level)
  - county \$ contribution to land preservation programs (PDRs, easement acquisition)
  - local tax benefits for working farms (that are not in ag districts)
  - support new production facilities and market opportunities
5. Similar support for timber lands – TBD
6. Complementary policies to expand housing opportunities in growth areas

This approach will be included in the draft plan being developed for later public comment and feedback. Also adopted was a new planning map that significantly expands the AR and RR zones in the county. With GCBR's input, supported by the three county commissioners, there was additional consensus on an option of using the current AR and RR density of 1 unit / 3 acres using a performance standards approach.

The next step is for the Planning Commission to review a proposal on the expansion of growth areas - Suburban Residential, Town Residential, PFAs (Priority Funding Areas) and the like.

Once this new concept is drafted into the revised plan, we will have an opportunity to review and comment on it. It appears that the county will also have extensive discussions with the farming community on the matter. To date, the farming community has resisted any changes to the subdivision ordinance, particularly in the area of residential densities.

### **MAR Monitors Legislator Position on Personal Services Tax**

MAR is tracking the positions of local delegations on the issue of taxing personal services, particularly Realtor® commissions and fees. The issue arose during the last legislative session but was defeated. However, in anticipation of a special legislative session this fall to deal with the state budget shortfall, MAR is working now to see what support or opposition there is for this idea.

We are happy to report that we met with both Senator George Edwards and Delegate Wendell Beitzel and that both are against the idea taxing Realtor® commissions.

### **MAR monitoring local property tax changes**

Also in line with the strategy on monitoring changes to taxes, on a statewide level MAR will be looking into the response by local jurisdictions to deal with budget shortfalls. In particular, we will be watching changes to local property tax rates. Bill Castelli is heading this up. We will hear more next month on ways to monitor and respond to these changes, should they occur in Garrett County.

### **DCL Sanitary District Boundary Changes – Crystal Creek subdivision**

On June 26, the County Commissioners unanimously approved a boundary change for the DCL Sanitary District to include the proposed Crystal Creek Subdivision on Lake Shore Drive (tax map 58, parcels 672 and 412). According to county officials, the change is consistent with the comprehensive plan and the county's policy of allowing for expansion of the system within the lake watershed area.



### **IMPORTANT NOTICE: GROUND RENT DISCLOSURE LAW TAKES EFFECT JULY 1, 2007**

– A new ground rent disclosure will take effect for all contracts of sale in Maryland where the underlying property is subject to a ground lease. This disclosure must be made on all contracts entered into on or after July 1, 2007. This disclosure will be available through the Maryland Association of REALTORS® website ([www.MDRealtor.org](http://www.MDRealtor.org)) under the forms sections as an addendum. In the addendum, sellers of residential property of up to four units that is subject to a ground rent must disclose the amount of the annual rent, whether it is paid yearly or half-yearly, the date or dates on which it is due, the date when the next payment is to be paid and the amount to be paid, the name address and phone number of the ground rent owner, and a specified statement as to the potential right to redeem, and the consequences for non-payment. For further information, please contact Chuck Kasky at 800-638-6425 or [chuck.kasky@mdrealtor.org](mailto:chuck.kasky@mdrealtor.org).

### **HOME INSPECTORS CONDUCTING WOOD DESTROYING INSECT INSPECTIONS**

– REALTORS®, home buyers and sellers routinely employ pest control companies to perform wood destroying insect (WDI) inspections. It recently has come to our attention that some home inspection firms also are offering WDI inspections in conjunction with their home inspection work. Please be aware that, under Maryland Law (Title 5 – Pesticide and Pest Control, Subtitle – 2 Pesticide Applicator's Law), "pest control" includes inspecting for, and providing opinions on, infestation or damage caused by termites or other wood destroying insects, and may only be offered and performed by a pest control company licensed by the Maryland Department of Agriculture (MDA).



Individuals who conduct WDI inspections must (a) be employees of a licensed pest control firm, (b) be adequately trained, and (c) either have a valid employee registration identification card, or a pest control consultant or pesticide applicator certificate issued by MDA. Finally, please note that these individuals **may not** operate as independent contractors – **they must be** employees of a pest control company that is licensed by the Maryland Department of Agriculture. Solicit WDI inspection work other than as an employee of a licensed pest control company, for that company Advertise WDI inspection independently of the licensed pest control company. Failure to comply with the Maryland law and regulations will result in enforcement action be taken against the violators. For questions please contact: Dennis Howard, Chief Pesticide Regulation Section. Maryland Department of Agriculture (410) 841-5710 – Voice, [HowardDW@mda.state.md.us](mailto:HowardDW@mda.state.md.us)

### **REGULATORY UPDATE: THE MARYLAND REAL ESTATE COMMISSION IS RESUMING TWO AUDIT INITIATIVES**

– The Commission is once again conducting random audits of continuing education certificates. Each month a few of the salespersons, associate brokers and brokers who renew a license will be asked to submit proof that the hours of continuing education claimed for renewal was actually completed. Maryland REALTORS® should always retain continuing education certificates. These audits make it imperative to keep the records safe and accessible.

The Commission escrow account audit program has also been rejuvenated. Members have informed the MAR staff that the auditor expects to be shown the escrow account records even if the broker or branch office manager happen to be out of the office when the auditor makes an unscheduled appearance. Brokers and branch office managers should therefore train staff to provide the escrow books to the auditor in the event that the broker or manager is not immediately available to produce the records for inspection. For additional information, contact [Mark.Feinroth@mdrealtor.org](mailto:Mark.Feinroth@mdrealtor.org).

**MAR ANNUAL CONFERENCE & TRADESHOW** September 10-12, 2007 Ocean City MD. **REGISTER NOW For education classes & Fun Day Events.** This year, online conference registration allows you to: Make any class changes online, Purchase additional tickets, Receive an improved Registration Confirmation: (Three-day Registration - \$225 now through August 15; \$50 discount for Rookie REALTORS®) **Once you have successfully entered your NRDS#, please review your Contact Information, and scroll down to “REGISTRATION TYPE” to choose the Registration type that applies to you. Then continue registering.**

Click on the link to register online

[https://www.conference.com/eventmanager/ProfileLogin\\_MAR\\_9I3.htm](https://www.conference.com/eventmanager/ProfileLogin_MAR_9I3.htm)

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THE NEW MARYLAND REALTOR TECHNOLOGY HELPLINE  
NEW MAR FREE Technology helpline  
(866) 638-4411

MAR has partnered with Matthew Ferrara and Company to bring you the industry's premier technical support and education service! Call (866) 638-4411. It is free to MAR members with unlimited calls. This is a \$35-\$40 "per call" savings if you've ever called a private technical support group.



**eKEY**

**Reading a KeyBox**

You can view the showing activity stored in a KeyBox on your PDA or Smart Phone by performing a KeyBox read.

To read the showing activity in a KeyBox:

1. Open the eKEY application.
2. Select **READ SHOWINGS** from the eKEY menu.
3. Select **Read**.
4. Enter the shackle code for the KeyBox and select **OK**

The KeyBox showing activity displays. Select an individual record to view detailed information for the showing.

**KIM voice access**

If you do not have access to the Internet, you can request a showing activity report through KIM voice access. The KeyBox serial number and shackle code are required when you request the report.

To request an activity report from KIM:

1. Call KIM at 888-968-4032.
2. Enter your three-digit area code.
3. On your phone keypad, enter your eKEY serial number and PIN code, then press#.
4. Select option number **5** from the voice menu.
5. Press **1** for a voice report or **2** for a faxed report. Follow KIM's instructions to receive the report.



## eDATA

If you have *eKEY Professional* service, the *eDATA* application lets you view showing activity on your PDA for each KeyBox in your inventory.

Showing activity for the previous seven days is displayed in *eDATA*. To reduce the number of days of activity delivered to your PDA, log on to the KIM website and click the *Showing Activity* link in the left-hand column. Click **Configure**, select a new number from the *Showing Frequency* dropdown list, then click **Save**.

To view showing activity on you PDA:

1. Select the *eDATA* icon to open the application.
2. Select **SHOWINGS** to display a list of showing activity for your KeyBoxes. You can sort the list by KeyBox ID number or showing date. On PADs with the Palm OS, tap the dropdown menu next to *Sort By* to change the sort option. In the Windows Mobile OS, go to **Options/Sort by**. Windows Mobile also lets you change the columns displayed by going to **Options/View by**.
3. Select an individual record to display detailed showing information. The address is displayed if you assigned a listing ID to the KeyBox when you added it to your inventory.

If the **View Feedback** button is active in an individual showing record, there is feedback about the listing from the showing agent. Select **View Feedback** to display the feedback information.

You can delete a showing activity record by selecting the **Delete** button in the individual record. The activity is only deleted from your PDA and remains viewable in the *ShowingValue* feature of the KIM website for 90 days. If the activity falls within the number of days you've specified at the KIM website to have delivered to your PDA, it will be delivered again during your next eSYNC.



## DisplayKEY

### Reading a KeyBox

The KeyBox stores the key serial numbers of agents showing your listing; along with the date and times that the property was shown. To determine who has recently accessed your KeyBox, go to the listing and read the KeyBox with your DisplayKEY.

To read a KeyBox, perform these steps:

1. Press **Enter** to turn on your DisplayKEY.
2. Scroll to the READ KEYBOX option and press **Enter**.
3. Press **2** to select NEW READ.
4. Enter the KeyBox shackle code and press **Enter**.

Four beeps indicate that the read was successful. The DisplayKEY screen displays the key serial numbers of showing agents who've accessed the KeyBox and the date and time of the access.

The DisplayKEY displays up to 100 of the last iBox showings, beginning with the most recent access. Use the arrow buttons on your DisplayKEY's keypad to scroll through the showing records.

If you read an iBox, press **Enter** in a showing record to display the agent's name and phone number on your DisplayKEY.

To identify an agent by calling KIM, do the following:

1. Call KIM at 888-968-4032.
2. Enter your tree-digit area code into the phone keypad.
3. Select the # option from the voice menu.
4. Enter your region number, followed by the # sign. If you don't know your region number, contact technical support. 877-699-6787
5. When prompted, enter the key serial number for the agent you wish to identify, followed by the # sign.

KIM reads the agent's name, office name, and office telephone number.

To identify an agent by visiting the KIM website, do the following:

1. Go to [www.supraekey.com](http://www.supraekey.com)
2. Select **Log on to KIM**.
3. Select your association or MLS from the dropdown list.
4. Enter your DisplayKEY serial number and four-digit PIN code.
5. Click **Login**.
6. Select *Identify Keyholder* in the left-hand column of your screen.
7. Enter the serial number of the agent you wish to identify, and then click **Find**.

### **KIM voice access**

If you do not have access to the Internet, you can request a showing activity report through KIM voice access. The KeyBox serial number and shackle code are required when you request the report.

To request an activity report from KIM, do the following:

1. Call KIM at 888-968-4032.
2. Enter your three-digit area code.
3. On your phone keypad, enter your DisplayKEY serial number and PIN code, then press #.
4. Select option number **5** from the voice menu.
5. Press **1** for a voice report or **2** for a faxed report. Follow KIM's instructions to receive the report.



## MRIS

MRIS Training is now offering LABS to assist you in using your own personal customized criteria in any of the following fields:

1. CMA
2. Custom Displays
3. Keystone
4. Saved and Hot Searches
5. Auto Email

For a list of LABS scheduled for the GCBR office, go to [www.mris.com](http://www.mris.com) login, on the Menu in the upper left hand section, go to Training, click on Class Enrollment, select the class or LAB you wish to attend, click Go and Register.

**New Members** – It is important for you to take advantage of the free MRIS Training classes held at the GCBR office. Begin with the following class order:

1. New Agent Introduction to MRIS
2. Matrix Hands-On (shows you how to search the system)
3. Keystone Hands-On (shows you how to input and update listings)
4. Matrix Advanced (more advance search education and customizing settings)
5. Keystone Advanced (more advanced listing input and update)
6. LABS

To see what classes are available each month, visit the MRIS website using the instructions listed above.

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## NAR - National Association of REALTORS®

### 2007 REALTORS® Conference & Expo

NAR's largest meeting will feature hundreds of programs, more than 700 exhibitors, and networking opportunities, plus Bill Cosby, James Taylor and more, Nov 13-16 in Las Vegas Register Now!!!! Visit [www.REALTOR.org/conference](http://www.REALTOR.org/conference)

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# Case Studies

## Interpretation of the Code of Ethics

### **Case #12-19: Remove Information About Listings from Websites Once Authority to Advertise Ends** (Adopted November, 2006)

REALTOR® A, a residential specialist in a major metropolitan area, spent several weeks each year in a cabin in the north woods he had inherited from a distant relative. Always on the lookout for investment opportunities, he paid careful attention to “for sale” signs, newspaper ads, and local brokerage websites in the area.

Returning from the golf course one afternoon, REALTOR® A spotted a dilapidated “for sale” sign on an otherwise-attractive wooded lot. Getting out of his car, he was able to discern REALTOR® Z’s name. Returning to his cabin, he used the Internet to locate REALTOR® Z and REALTOR® Z’s company website. Visiting REALTOR® Z’s website, he found detailed information about the lot he’d seen that afternoon. Using REALTOR® Z’s e-mail address function, he asked for information about the lot, including its dimensions and asking price. Several days later REALTOR® Z responded, advising simply. “That listing expired.”

The following day REALTOR® A, hoping to learn whether the lot was still available, contacted REALTOR® X, another area real estate broker. “As it turns out, we have an exclusive listing on the property you’re interested in,” said REALTOR® X. In response to REALTOR® A’s question, REALTOR® X advised that he had had an exclusive listing on the property for almost six months. “That funny,” responded REALTOR® A, “REALTOR® Z has a “for sale” sign on the property and information about it on her website. Looking at her website, I got the clear impression that she still had that property listed.”

While the wooded lot proved to be out of REALTOR® A’s price range, REALTOR® Z’s “for sale” sign and website were still on his mind when he returned home. Ultimately, he contacted the local association of REALTOR® and filed an ethics complaint alleging that REALTOR® Z’s “for sale” sign, coupled with her offering information on her website made it appear as if the wooded parcel was still listed with her firm, when that had not been the case for over six months, REALTOR® A noted that this conduct, in his opinion, violated Article 12 since REALTOR® Z was not presenting the “true picture” in her public representations and was, in fact, advertising without authority, a practice prohibited by Article 12, as interpreted by Standard of Practice 12-4.

At the hearing, REALTOR® Z claimed that failure to remove the “for sale” sign was simply an oversight, and if anyone was to blame it was her personal assistant who was responsible for removing signs and lockboxes from expired and sold listings. “If you want to blame anyone, blame my assistant since he’s supposed to bring back our ‘for sale’ and ‘sold’ signs.” Turning to the stale listing information on her website, REALTOR® Z acknowledged that information about her former listing had continued to

appear for more than six months after the listing had expired. REALTOR® Z analogized the continued presence of that information to an old newspaper advertisement. “It’s possible someone might come across a six month old newspaper with my listing in it. Those ads were true when I ran them but how could I ever control when and where someone will come across them, possibly months or even years later?” she asked. “Besides,” she added, “REALTORS® have better things to do than constantly inspect their websites to make sure everything is absolutely, positively up-to-the-minute.” If we did that, none of us would have time to list or sell,” she concluded.

The hearing panel disagreed with REALTOR® Z’s reasoning. While reasonable consumers can expect newspaper advertisements to be current and accurate on the date of publication, they also understand that information in months or even years old newspapers will be obsolete. Information on REALTORS® websites is clearly different from newspaper ads since it can be updated on a regular basis, and corrected if mistakes occur. The panel concluded that the continued presence of information about REALTOR® Z’s former listing six months after expiration on her website, coupled with the continued presence of her “for sale” sign on the wooded lot, did not present the true picture required by Article 12, and was inconsistent with the obligation to have authority to advertise contemplated by Article 12 as interpreted by Standard of Practice 12-4. REALTOR® Z was found in violation of Article 12.

# Garrett County Board of REALTORS®

GCBR News Briefs - August 2007

August 1, 2007

## *Membership Update*

### ***New REALTOR® Members:***

*Tracy Harding – Long and Foster Real Estate*

*Markell Klavuhn – Coldwell Deep Creek Realty*

*Julie Winters – Long and Foster Real Estate*

*Micki Mam Khademi – Long and Foster Real Estate*

### ***New Office***

*Realty Direct Deep Creek Realty*

*Arlene Murray, Broker*

*2146 Friendsville Road*

*Friendsville, MD 21531*

*301-746-7227*

***Transfers: NONE***

### ***New Affiliate Members:***

*Shane Grady – Grand Central Home Furnishings*

***Drops: NONE***

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## **Government Affairs Committee Report – Paul Durham, G.A.D. Government Affairs Director Monthly Report**

### **Will the General Assembly Try Again to Tax Real Estate Services?**

MAR is closely monitoring the state's fiscal crisis and the potential for legislation that effects Realtors®. As you might recall, in the 2007 session some legislators proposed taxing professional services, including those of Realtors®. That legislation was successfully defeated. However, there is some indication that this idea could be resurrected and bundled into a comprehensive tax increase package going into the next session, or maybe part of a special session this fall.

We have polled both Delegate Wendell Beitzel and Senator George Edwards and both are very much opposed to this idea. We are grateful for their support and along with MAR will watch this matter closely as we move closer to the session.

Members are encouraged to personally communicate with both Delegate Beitzel and Senator Edwards and support their efforts to defeat this tax if it is proposed yet again.

## **Will Real Estate and Transfer Taxes Increase This Coming Year?**

MAR has rolled out its **Tax Storm Advertising Campaign** to highlight the increasing number of state and local real estate-related taxes that threaten homeowners. The two-week campaign began on July 17 and will feature print, radio and online ads in major media outlets across the state including the Baltimore Sun and Washington Post. The campaign is designed to coincide with deliberations by the Governor and General Assembly leaders to create a tax package that will close the \$1.2 billion state budget deficit.

Our local tax rates held steady for fiscal year 2008. The state's fiscal crisis will probably translate into reduced funding to counties for various programs. It will be increasingly difficult for the county to fund programs and capital projects as they have in recent years. Will the rates hold steady in the future?

GCBR's efforts earlier this year to encourage the commissioners to reduce the property tax rate, transfer tax rate, and the recordation tax rate had limited success due to the county's looming fiscal constraints. There is also some indication that the county might need to rely on debt service in the next fiscal year to accommodate the capital budget plan.

Most of the real estate tax rates are set on the local level. Despite the obvious benefits of the real estate boom around Deep Creek Lake, Garrett County still has the highest transfer and property tax rates in Western Maryland.

Members are encouraged to visit [www.leagueofmarylandhomeowners.org](http://www.leagueofmarylandhomeowners.org) for further details on MAR's efforts.

GCBR will watch this issue closely and keep members informed of any changes that might be proposed. MAR is working closely with us on this from a statewide perspective. Members are asked to regularly encourage the County Commissioners to work to reduce real estate taxes.

## **Comprehensive Plan Process – response to the proposed land preservation strategy**

As we reported last month, the Planning Commission met on June 13 and tentatively adopted a new approach to regulating agricultural and forest land use in Garrett County. Primarily, land outside of the lake zoning district or of the incorporated towns will be managed through a maximum lot size approach with minimum protection percentages for agricultural and forest lands. Changes to densities are being considered with significant changes to the land classification map for the R, AR and RR zones.

The Farm Bureau has expressed concerns about this approach and is asking that the “status quo” be maintained. We will attend the next Planning Commission meeting where the Farm Bureau will make a presentation on this issue. As the various chapters of the new comprehensive plan are released for public comment later this year, GCBR will continue to participate in the process and communicate our position.

The new county strategy can be viewed on the internet at ...

<http://www.co.garrett.md.us/PlanningLand/PlanningZoning/Planning.aspx>

## **Minimum Lot Size Waiver Granted to Habitat for Humanity**

At its July meeting, the Planning Commission granted a waiver from the subdivision ordinance from 20,000 square feet to 10,000 square feet to benefit the local Habitat for Humanity Hopeland Village project in Deer Park. Discussion by the Commission centered on the precedent this might set for other developers. Planning and Land Development Director John Nelson noted that this area is slated for Town Residential (TR) land use classification in the update of the comprehensive plan, which would justify the smaller lot size. The approval anticipates the land use classification changing when the new plan is adopted.

## **TVRU Ordinance Update**

Last month we reported that the county is considering several minor changes to the TVRU ordinance, essentially “clean up” and language improvement based on their first year of experience managing the program. Deputy Pat Kelly reports that these changes are still under internal review and there is nothing to report out on publicly, yet.

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## Member Benefit Partners

### Office Depot



MAR is pleased to announce a new savings program for MAR members. We have partnered with the Office Depot Business Solutions Division to provide our members access to instant savings on Office Depot products and services. With the partnership, MAR members will qualify for an instant 10% savings on office supplies and furniture, in-store design and printing services, promotional products, and tech depot products.

### Health Insurance for You and Your Family



As a MAR member, Benefit Choices will assist in finding Health, Dental and Vision Plans available to you and your family, and can also assist you with Life Insurance Quotes, upon request. Learn more about these benefit programs by contacting Lois Bates, Benefit Choices at 1-800-456-6033 or visit their website at [www.benefitchoicesinc.com](http://www.benefitchoicesinc.com).

### MAR Visa Card



Choose a great credit card with excellent benefits and no annual fee. MAR is proud to offer three new credit card products designed specifically for Maryland REALTORS®— a MAR Cash Rewards Visa card with up to 1% back, a MAR Select Rewards Visa card with a large variety of great rewards, and a low-rate MAR Visa Platinum card. All three cards have no annual fee. Show your pride in the profession and choose the card that fits you best.

Get all of the outstanding card benefits and rewards for yourself, and support MAR with every purchase you make, at no additional cost to you.

Apply Today! **call 1-800-853-5576 ext. 8599** — a MAR Cash Rewards Visa card with up to 1% back, a MAR Select Rewards Visa card with a large variety of great rewards, and a low-rate MAR Visa Platinum card. All three cards have no annual fee. Show your pride in the profession and choose the card that fits you best. Get all of the outstanding card benefits and rewards for yourself, and support MAR with every purchase you make, at no additional cost to you. Apply Today! call 1-800-853-5576 ext. 8599.

### Errors & Omissions Insurance



John P. Pearl & Associate Ltd. offers MAR members a Real Estate Errors & Omissions Liability Program with more upgraded coverage and expanded choices. John P. Pearl & Associate, Ltd. will send you a free personalized, no-obligation premium estimate based on your needs.

Contact **Debbie Bindeman at 301-975-0002**.

### Local, Long Distance, Internet, Wireless Phone Service



ATX Communications has partnered with MAR to provide its full suite of communication services including: local, long distance, toll free internet, web development and hosting, and cellular phone service to all members. The discounts to MAR members are outstanding.

Contact **Chris McGurk at 1-800-220-2892** for a FREE analysis of your phone service.

### Overnight Delivery



UPS provides members with \$1.50 discount (drop-off rate) on each UPS Next Day Air Letter shipped with no limit on weight. You can stuff the envelopes full! MAR members also qualify for a 10% discount off UPS Next Day package rates and 20% for international packages.

Call **UPS at 1-800-325-7000**, reference # C0000700038.



## REALTOR® License Plates



Show everyone that you're a REALTOR®. This special plate will set you apart from everyone else as a Maryland REALTOR®. For information or an application, **contact Cindy Sellers at 800-638-6425** or [cindy.sellers@mdrealtor.org](mailto:cindy.sellers@mdrealtor.org). (Vanity plates are not available with this offer.)



## eKEY

### Manual update

If you are unable to perform an eSYNC, you can obtain an update code from the KIM website or automated voice system and manually enter it into your PDA. Showing activity in your PDA is not uploaded to the Supra network until you perform an eSYNC.

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**CAUTION:** If you obtain an update code from the KIM website or voice system, you may need to perform an eSYNC before you can obtain another update code.

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To obtain an update code from the KIM website, do the following:

1. Go to [www.supraekey.com](http://www.supraekey.com) and click **Log on a KIM**.
2. Select the name of your association or MLS from the dropdown list.
3. Enter your eKey serial number and four-digit PIN code, and then click **Login**.
4. Click the *Update Code* link in the left-hand column of your screen. The update code displays.

To obtain an update code from the KIM voice system, do the following:

1. Call KIM at 1-888-968-4032.
2. Enter your three-digit area code.
3. When prompted, enter your eKEY serial number and PIN code into the phone, followed by the # sign.
4. KIM reads a list of options. Press 1 on the phone for an update code.

To enter the update code into you PDA, do the following:

1. Select the *eKEY* icon to open the application.
2. Select **EMERGENCY UPDATE** from the eKEY menu.
3. Enter the update code into your PDA
4. Select **OK**. If you have an eKEY shell, press **Enter** on the shell.



## DisplayKEY

### Manual update

If you do not have access to your DisplayKEY cradle to perform an eSYNC, you can manually update you key by obtaining an update code from the KIM website or voice access system.

**Note:** *If you manually update your DisplayKEY, showing activity remains in your key until the next time you perform an eSYNC.*

To obtain an update code from the KIM website, do the following:

1. Go to [www.supraekey.com](http://www.supraekey.com)
2. Select **Log on to KIM**.
3. Select the name of your association or MLS from the dropdown list.
4. Enter your DisplayKEY serial number and four-digit PIN code.
5. Click Login.
6. Select the *Update Code* link in the left column of your screen. The update code displays.

To obtain an update code from the KIM voice system, do the following:

1. Call KIM at 1-888-968-4032.
2. Enter your three-digit area code.
3. When prompted, enter your DisplayKEY serial number and PIN code into the phone, followed by the #sign.
4. KIM reads a list of options, Press 1 on the phone for an update code.

To enter the update code into your DisplayKEY, do the following:

1. Press **Enter** to turn on your DisplayKEY.
2. Scroll to the INPUT UPDATE OR CBS option and press **Enter**.
3. Press **1** to select INPUT UPDATE.
4. Enter the update code using the keypad and press **Enter**. Four quick beeps indicate that the operation is successful.

If you cooperate with another area, you may obtain an update code for the cooperating association or MLS *after* you have updated your DisplayKEY for you primary association or MLS.

**Note:** *The number of updates codes you can obtain from KIM before performing an eSYNC may be limited. Contact your association/MLS for more information.*



# NAR - National Association of REALTORS®

REALTORS® Conference & Expo “No Limits” will be held at the Sands Expo and Convention Center, Las Vegas, NV, November 13 – 16, 2007 GO ONLINE, [www.REALTOR.org/Congrence](http://www.REALTOR.org/Congrence) to register and lock in your hotel TODAY! Or call 800-650-6893

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## Case Studies

## Interpretation of the Code of Ethics

### CASE INTERPRETATIONS RELATED TO ARTICLE 4:

**Case #4-1: Disclosure when Buying on Own Account** (Reaffirmed Case #13-1 May, 1988. Transferred to Article 4 November, 1994.)

Client A consulted REALTOR® B about the value of a lot zoned for commercial use, saying that he would soon be leaving town and would probably want to sell it. REALTOR® B suggested an independent appraisal, which was arranged, and which resulted in a valuation of \$130,000. The property was listed with REALTOR® B at that price. Shortly thereafter, REALTOR® B received an offer of @122,000 which he submitted to Client A, who rejected it. After the passage of four months, during which no further offers were received, Client A asked REALTOR® B if he would be willing to buy the lot himself. REALTOR® B on his own behalf, made an offer of \$118,000, which the client accepted. Months later Client A, on a return visit to the city, discovered that REALTOR® B had sold the lot for \$125,000 only three weeks after he had purchased it for \$118,000.

Client A complained to the Board of REALTOR®s charging that REALTOR® B had taken advantage of him; that he had sought REALTOR® B's professional guidance and had depended on it; that he could not understand REALTOR® B's inability to obtain an offer of more than \$122,000 during a period of four months in view of his obvious ability to obtain one at \$125,000 only three weeks after he became the owner of the lot; that possibly REALTOR® B had the \$125,000 offer at the time he bought the lot himself at \$118,000.

At the hearing, REALTOR® B introduced several letters from prospects that had been written while the property was listed with him, all expressing the opinion that the lot was overpriced. The buyer who purchased the lot for \$125,000 appeared at the hearing as a witness and affirmed that he never met REALTOR® B or discussed the lot with him prior to the date of REALTOR® B's purchase of the lot from Client A. Questioning by members of the Hearing Panel established that REALTOR® B had made it clear that his offer of \$118,000 in response to his client's proposal was entirely on his own account.

The panel concluded that since REALTOR® B's own purchase was clearly understood by the client to be a purchase on his own account, and since the client's suspicions of duplicity were proven to be unfounded, REALTOR® B had not violated Article 4 of the Code of Ethics.

# Garrett County Board of REALTORS®

GCBR News Briefs - September 2007

September 1, 2007

## *Membership Update*

### *New REALTOR® Members:*

*Secondary – Susan Rosko-Thomas –Coldwell Banker Deep Creek Realty*

*Jamie Rodeheaver – Coldwell Banker Deep Creek Realty*

*Jasmine Friend – Coldwell Banker Deep Creek Realty*

*Denise Perry – Coldwell Banker Deep Creek Realty*

*Linda Smith – Long & Foster Real Estate, Inc.*

### *Transfers:*

*None*

### *New Affiliate Members:*

*None*

### *Drops:*

*Stephanie Beddow – United Country Humberson Homes, Inc.*

*Kenny Green – United Country Humberson Homes, Inc.*

*Patrick Gross – United Country Humberson Homes, Inc.*

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## **Government Affairs Committee Report – Paul Durham, G.A.D. Government Affairs Director Monthly Report**

### **County Government - Financial Outlook:**

As we previously reported, the Boards' efforts to encourage the County Commissioners to reduce real estate related tax rates met with resistance due to the fiscal constraints that the county is facing. It seems that much of the problem lies in the county's large capital budget commitments over the next several years.

At their regular meeting on August 21, the commissioners received a report from the county's finance office on its financial status. More than \$27.1 million in real estate taxes was collected in July, which is an increase of \$3 million over last year's figures (+11.24%). To date for the month of August, \$8.6 million has been collected. Funds have been reserved for capital projects and the county is maintaining an overnight interest bearing account with a 5.35% return, which is providing additional revenue.

However, according to the finance department, in FY09 the county will "be in a borrowing position". Commissioner Fred Holliday said at the meeting, "We are close to a structural deficit."

Garrett County currently has the highest transfer tax rate (1.00%), the highest real property tax rate (\$1.00 per \$100.00 of assessed value), and the second highest recordation tax rate (\$3.50 per \$500 of the transaction) in Western Maryland.

The commissioners also reported out on their attendance at the MACO conference. They see taxes on services as definitely being on the table on the statewide level (MAR is actively working on defeating this as it pertains to Realtors®). There is the potential for cuts in funding to local jurisdictions as the state tries to solve its own budget shortfalls.

### **Are “Undeveloped” Lakefront or Deeded Access Lots Ineligible for Dock Permits?**

Several Realtors® have recently reported instances where the DNR was implementing a new policy on owners of lakefront or deeded access lots that are “undeveloped”, i.e. they do not have a house built on them. Property owners were told that they are ineligible for a dock permit until the lot is “developed”. Documentation from the DNR confirmed that this was being applied across the board as formal eligibility inquiries were being made.

I discussed the matter with Lake Manager Carolyn Mathews and she told me that this had been a staff error. She will be working to correct it over the next week or so.

You might encounter a slightly different situation where a person owns multiple unimproved lots along a contiguous stretch of buffer strip. The lake regulations do have a provision that only one buffer strip use permit can be granted regardless of the amount of frontage that a property owner owns. In applying this regulation, Carolyn Mathews confirmed that they will continue to issue additional permits for separate lots along the contiguous frontage that are improved. An example would be if a person buys a property next door to them that already has a home and a dock permit. That second property will continue to receive a dock permit. Likewise, if someone improves a lot that they own along a contiguous stretch, then DNR will continue to apply the regulation so that the newly improved lot would be eligible for the additional permit.

### **Town Comprehensive Planning:**

Jakubiak and Associates of Annapolis, MD have been selected to be the consultant to work with the incorporated towns and municipalities in the county on the updates of their comprehensive plans. The process should begin shortly and finish in about a year. We have had some preliminary discussions with Jakubiak and informed them of our interest in tracking the plans and how they effect real property ownership and the real estate industry in the respective towns.

### **Windmills already?**

Lately there have been a number of trucks passing through the county transporting large windmill blades and columns. Although a large windmill farm is planned for Backbone Mountain, actual construction has not yet started on that project. The parts passing through the county are headed to nearby West Virginia where sites are planned in Grant and Pendleton counties. Information on the Maryland project can be found at

<http://deepcreekhotproperties.blogspot.com/2007/06/clipper-windpower-criterion-project.html> or at <http://www.clipperwind.com/criterion.html>

### **George Edwards Picnic:**

MAR is encouraging Realtor® participation in an upcoming picnic for Senator George Edwards on Sunday, September 9 from 2-4 PM at the Allegany County Fair grounds - \$25 per person. Senator Edwards represents Garrett, Allegany and part of Washington Counties and has historically stood for issues that benefit Realtors®.



## TVRU Ordinance Update

Recently we reported that the county is considering several minor changes to the TVRU ordinance, essentially “clean up” and language improvement based on their first year of experience managing the program. Deputy Pat Kelly reports that these changes are currently on hold pending the outcome of a recent appeal on a license restriction. We anticipate that the changes will be available for public review and comment later in the fall.



Workforce Housing Certification

### Are you WHC?

Increasingly, housing costs in many areas are exceeding the financial reach of many low-to-moderate-wage earners, such as service-sector employees, entry-level staff and essential health personnel, as well as teachers, police and firefighters. Additionally, as many REALTORS® and lenders know, minorities and new immigrants often fall victim to discrimination and predatory lending practices. There are financial programs and tools that can help address the problem of affordability and you can learn about them. Develop your knowledge and expertise to serve this important and growing market by taking the steps to become **WHC**. Are you **WHC** ?

**Workforce Housing Certified (WHC)** REALTORS® are specially trained to receive customer inquiries on workforce and affordable housing finance programs for selected jurisdictions. Earning this NEW certification requires completion of the following classes in any sequence:

1. **CreditSmart™** (6 hours - no CE), taught by Freddie Mac certified trainers, is a “Training for Trainers” program with a comprehensive curriculum that will prepare you to educate consumers about getting and maintaining good credit, credit scoring and money management towards achieving their financial goals. *Any prior CreditSmart™ certification is counted toward WHC.*
2. **Bridging the Gap between Availability and Affordability** (2 hours CE - Professional Enhancement), taught by WHC REALTORS®, lenders or mortgage brokers, is designed to give practical information about financial products and eligibility standards that may help challenged or first-time homebuyers.
3. **State and Local Programs and Using [www.MDhomeprograms](http://www.MDhomeprograms)** (2 hours - CE Professional Enhancement), taught by WHC REALTORS®, directors of local financing programs and/or staff from the Maryland Department of Housing & Community Development, provides fundamentals about state & local programs available for low/no downpayment, closing cost grants, extended term mortgages, as well as other tax credits, plus local government resources for homeownership education and counseling. (Some content may vary by jurisdiction.)

4. **Federal Programs and National Initiatives** (2 hours - CE Professional Enhancement) includes information on programs and new regulations for HUD/FHA, Veteran's Administration, Rural Housing, as well as national private sector loan/guaranty programs, taught by secondary market reps and lenders, PLUS training from WHC REALTORS® on how to best utilize the website.

Upon completion of the classes, there is no exam and there are no MAR charges or fees for the **WHC** certification. (PLEASE NOTE: There may be some materials or facility costs associated with certain classes and locations.)

After completing the required classes, your name will be placed on a revolving referral list on the [www.MDhomeprograms.com](http://www.MDhomeprograms.com) website, based on your preferred business location. The first name on the top of the list is always changing. **WHC REALTORS®** may choose to be listed for up to 3 jurisdictions. You will also be able to promote your new certification on your business cards, personal website, etc.

After the **WHC** certification is obtained, it is good for two years. All certificates expire on either July 1 or January 1, whichever date immediately follows the two-year anniversary date of certification. Renewal is simple: (1) Re-take the class entitled **State and Local Programs** and (2) Provide evidence that you assisted the purchase of a home, utilizing any of the programs offered on the website, during the previous certification period.

### **Schedule of Classes**

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#### **WHC classes at MAR's Annual Conference in Ocean City!**

##### **Monday, September 10, 2007**

10:00 AM – 12:00PM	WHC – State & Local Programs
1:00PM – 3:00PM	WHC – Federal & National Programs

##### **Tuesday, September 11, 2007**

8:30 AM – 10:00AM	WHC – Bridging the Gap between Availability and Affordability
3:00PM – 5:00PM	WHC – Federal & National Housing Programs (REPEAT)

##### **Wednesday, September 12, 2007**

9:30 AM – 11:00AM	WHC – Bridging the Gap (REPEAT)
1:00PM – 2:30PM	WHC – State & Local Programs (REPEAT)

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##### **October 1, 2007**

9:00 am - 3:30 pm CreditSmart™, Frederick County Association of REALTORS®  
Frederick Community College, 7932 Opossumtown Pike, Frederick 21702  
To register, go to: [www.fcar.org](http://www.fcar.org), then click on 'Education', then 'Classes'.

## October 3, 2007

9:00 am - 11:00 am Bridging the Gap from Availability to Affordability

11:30 am - 1:30 pm State and Local Programs

2:00 pm - 4:00 pm Federal Programs and National Initiatives

Sponsored by the Frederick County Association of REALTORS®

Location: Frederick Community College, 7932 Opossumtown Pike, Frederick 21701

To register, go to: [www.fcar.org](http://www.fcar.org) , then click on 'Education', then 'Classes'.



### eKEY

#### CBS codes

Every KeyBox contains a Call Before Showing (CBS) code that you can activate using the Manage KeyBoxes menu option of the eKEY application. The CBS code allows the listing agent to control KeyBox access by requiring the showing agent to call for preauthorization before opening the KeyBox. If the CBS code is active in a KeyBox, you must enter the CBS code into your PDA before accessing the KeyBox. Contact the listing agent to determine if a CBS code is required to open a KeyBox.

To enter a CBS code into your PDA, do the following:

1. Open the eKEY application.
2. Select ENTER CBS CODE from the eKEY menu.
3. Enter the 7-digit CBS code and select OK.

Once your eKEY software is activated with the CBS code for a particular KeyBox, follow the standard procedure for releasing the key container. You can access the KeyBox until the listing agent changes the KeyBox settings or until you enter a CBS code for a different KeyBox.



### DisplayKEY

#### CBS codes

Every KeyBox contains a Call Before Showing (CBS) code that your association or MLS can activate. The CBS code allows the listing agent to control KeyBox access by requiring the showing agent to call for authorization before opening the KeyBox. If the CBS code is active in a KeyBox, you must enter the CBS code into your key before accessing the KeyBox.

To enter a CBS code, do the following:

1. Press Enter to turn on your DisplayKEY.
2. Scroll to the INPUT UPDATE OR CBS option and press Enter.
3. Press 2 to select INPUT CBS.
4. Enter the CBS code and press Enter.

Once you've entered the CBS code for a particular KeyBox into your DisplayKEY, follow the standard procedure for releasing the key container. You can access the KeyBox until the listing agent changes the KeyBox or until you enter a CBS code for a different KeyBox.

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## MRIS

MRIS will be implementing a proven security technology that has been in use by millions of people in private industry and government for over a decade. The version that will be implemented, SAFEMLS<sup>tm</sup> solution by Clarity Security, was designed specifically for the real estate industry. Over 30 MLSs are currently served by this solution today to further protect their content.

The reasons for Secure Login are many. Privacy, security, and protecting the content on the MLS are all concerns. Details pertaining to how you will receive your SAFEMLS<sup>tm</sup> token will be released in the coming weeks, via the MRIS weekly e-mail update.

In the meantime, **please make sure that the e-mail address and street address that you have on file with MRIS are current. This is extremely important.**

### **Is your Contact info Up to Date?**

By Sharon Thornton

MRIS must have correct account information for everyone utilizing our systems. Please make sure that your current home address and phone number, office and fax number as well as a public email address are on file. Here's how:

- Log into [www.mris.com](http://www.mris.com)
- On the homepage, click the My Account link
- Click Change My contact Information; a Security Question box may appear. If it does, click OK
- In the Address information section, make sure that your home address information is correct and complete
- In the Telephone section, make sure that you input a fax number, if applicable
- Under Contact Information, make sure that there is a valid email address in the Public Email data field

Once you have completed entering your information, scroll down to the bottom of the page and click the Update button.

You may receive an email from MRIS.com if you are updating your Public Email Address. Please remember to open up that email and follow the instructions because this is the verification portion of the process. You email information will not be updated until you finish this piece of the verification process.

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## NAR - National Association of REALTORS®

The terms REALTOR® and REALTORS® are trademarks of the NATIONAL ASSOCIATION OF REALTORS®. The trademarks, along with the Code of Ethics and Standards of Practice, set members apart from other real state licensees. NAR has adopted certain rules intended to preserve the value of the REALTOR® trademarks for all members, current and future. Take this quiz to see how much you know about the proper use of the REALTOR® trademark.

**1. Which of the following terms is NOT one of the REALTOR® trademarks owned by NAR?**

- ☐ A. REALTOR®
- ☐ B. REALTORS®
- ☐ C. BROKER-OWNER®
- ☐ D. REALTOR-ASSOCIATE®

CORRECT ANSWER: C BROKER-OWNER®. The NATIONAL ASSOCIATION OF REALTOR® owns numerous trademarks, including but not limited to the terms REALTOR®, REALTORS®, REALTOR-ASSOCIATE®, and the REALTOR® block "R" logo. These trademarks are not used to identify members of NAR and distinguish them from non-members.

Since 1916, when the unique term REALTOR® was first created, the public has come to recognize those who use the trademarks to be members of NAR and, as such, providers of real estate-related services consistent with the REALTOR® Code of Ethics and Standards of Practice, the highest standard of professionalism in the real estate industry. Member boards, through their use of the trademarks, are recognized as member organizations. In 2005, NAR released a research study that revealed the average member with six to 10 years' experience realizes \$4,500 a year in incremental income due to the marketplace advantages the REALTOR® brand brings to his or her business.

**2. Which of the following is the incorrect way to write or display the term REALTOR®?**

- ☐ A. REALTOR®
- ☐ B. REALTORS®
- ☐ C. Realtor®

## O D. realtor®

CORRECT ANSWER: D. realtor®. The most preferred form for the term "REALTOR®" is in all uppercase letters with the federal registration symbol ( ® ) following it. Less preferred, but still acceptable, forms would be "REALTOR" in all uppercase letters without the registration symbol or "Realtor®" with an initial uppercase "R" with the registration symbol. Using all lowercase letters in "realtor," with or without the registration symbol, is not considered proper form for the term REALTOR®.

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# Case Studies

## Interpretation of the Code of Ethics

### CASE INTERPRETATIONS RELATED TO ARTICLE 1:

Case #1-1: Fidelity to Client (Originally Case #7-1. Revised May, 1998. Transferred to Article 1 November, 1994.)

Client A complained to a Board of REALTORS® that two of its members, REALTOR® B and his sales associate, REALTOR-ASSOCIATE® C, had failed to represent the client's interests faithfully by proposing to various prospective buyers that a price less than the listed price of a house be offered. His complaint specified that REALTOR® B, in consultation with him, had agreed that \$137,900 would be a fair price for the house, and it had been listed at that figure. The complaint also named three different prospective buyers who had told Client A the while looking at the property, REALTOR-ASSOCIATE® C, representing REALTOR® B, when asked the price had said, "It's listed at \$137,900, but I'm pretty sure that an offer of \$130,000 will be accepted."

REALTOR® B and REALTOR-ASSOCIATE® C were notified of the complaint and requested to be present at a hearing on the matter scheduled before a Hearing Panel of the Board's Professional Standards Committee.

During the hearing, REALTOR® B confirmed that he had agreed with Client A that \$137,900 was a fair price for the house, and that it was listed at that figure. He added that he had asked for a 90 day listing contract as some time might be required in securing the full market value. Client A had agreed to do this but had indicated that he was interested in selling within a month even if it meant make some concession on the price. The discussion concluded with an agreement on listing at \$137,900 and with REALTOR® B agreeing to make every effort to get that price for Client A.

REALTOR-ASSOCIATE® C said in the hearing that REALTOR® B had repeated these comments of Client A and he, REALTOR-ASSOCIATE® C, had interpreted them as meaning that an early offer of about 10 percent less than the listed price would be acceptable to the seller, Client A. Questioning by the Hearing Panel established that neither REALTOR® nor REALTOR-ASSOCIATE® C had been authorized to quote a price other than \$137,900.

It was the Hearing Panel's conclusion that REALTOR® B was not in violation of Article 1 since he had no reason to know of REALTOR-ASSOCIATE® C's actions. The panel did find REALTOR-ASSOCIATE® C in violation of Article 1 for divulging his knowledge that the client was desirous of a rapid sale even if it meant accepting less than the asking price. The panel noted that such a disclosure was not in the client's best interest and should never be made without the client's knowledge and consent.



# Garrett County Board of REALTORS®

GCBR News Briefs - October 2007

October 1, 2007

## *Membership Update*

### *New REALTOR® Members:*

*Secondary – Susan Rosko-Thomas –Coldwell Banker Deep Creek Realty*

*Jamie Rodeheaver – Coldwell Banker Deep Creek Realty*

*Jasmine Friend – Coldwell Banker Deep Creek Realty*

*Denise Perry – Coldwell Banker Deep Creek Realty*

*Linda Smith – Long & Foster Real Estate, Inc.*

### *Transfers:*

*None*

### *New Affiliate Members:*

*None*

### *Drops:*

*Jennifer Marraccini, Coldwell Banker Deep Creek Realty*

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## **Government Affairs Committee Report – Paul Durham, G.A.D. Government Affairs Director Monthly Report**

### **Deep Creek Lake Comprehensive Planning – new land use scenario proposed:**

Part of the ongoing comprehensive planning process includes a review and projection of future land uses and their impacts in the Deep Creek Lake watershed. At September's Planning Commission meeting, ERM proposed several scenarios to guide future land use and regulation within a broader "Deep Creek Lake Influence Area".

After extensive discussion, the Commission and the three County Commissioners adopted a new strategy for land use and zoning that will be included in the soon to be released draft plan. This new strategy, "Scenario 4", includes several significant changes:

- The lake residential areas (currently LR) will be separated into LR1 (served by county sewer service) and LR2 (outside the sewer service area). Minimum lot sizes in the LR1 zone will remain at 1-acre, and in the LR2 zone it will be a minimum of 2-acres.
- Certain areas will now be designated as AR (Agricultural Resource) or RR (Rural Resource) consistent with those areas outside of the zoning district.

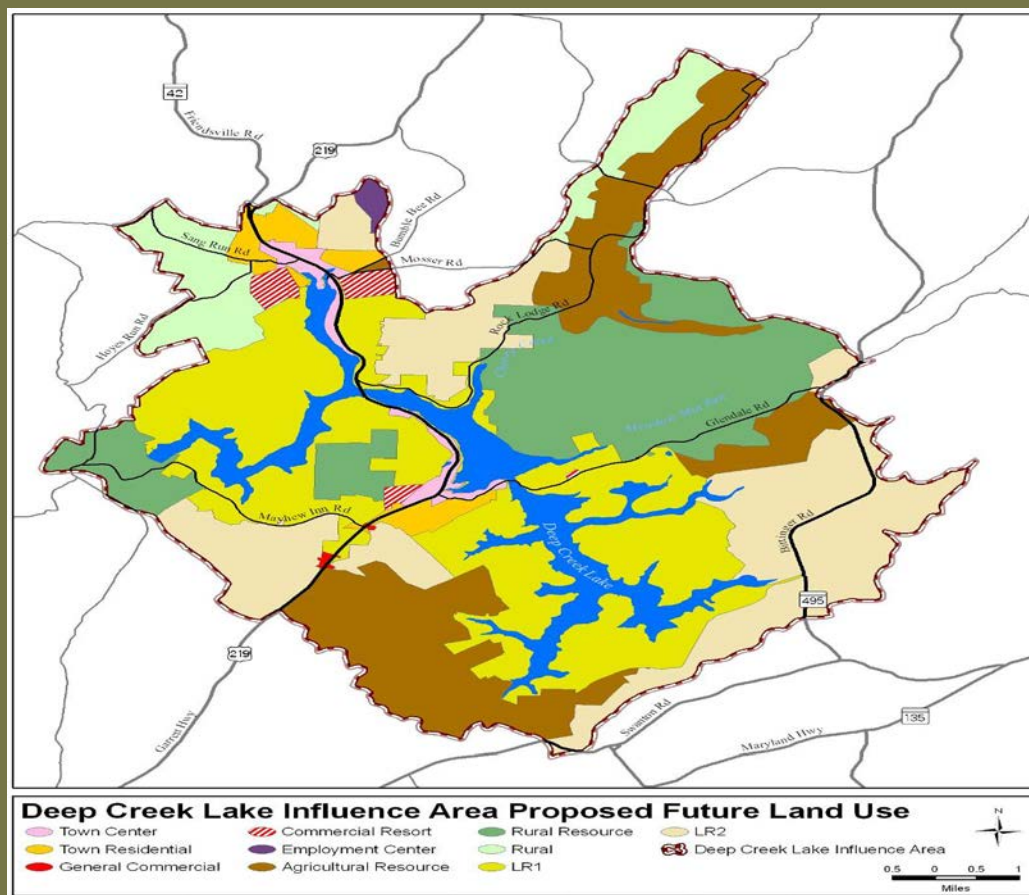
ERM concluded that sewer, road and lake water quality were limiting factors that effect future land use and development in the watershed. They recommended that build-out density be reduced by 11,160 residential units. Scenario 4 reduces the capacity by 7,800 units.

Realtors® with clients who anticipate land use decisions that might be effected by this proposal should become familiar with it. Details can be found on the county's web site at:

[http://www.co.garrett.md.us/PlanningLand/PlanningZoning/documents/dcl\\_lu\\_scenarios\\_082707.pdf](http://www.co.garrett.md.us/PlanningLand/PlanningZoning/documents/dcl_lu_scenarios_082707.pdf)

The board will review the draft of the comprehensive plan when it is released and comment as necessary. You may also direct any comments or questions that you might have to Paul Durham at [pdurham@cebridge.net](mailto:pdurham@cebridge.net)

#### Future Deep Creek Land Use Scenario #4 –



## Continuing Education

### Mark Your Calendars:

**FRIDAY, OCTOBER 5, 2007**

Session 1 - Topic A - 3 hrs. - Instructor - Al Monshower, Jr. (8:45 am - 12:00 noon)

*"Buyer Agency - Intra- Company Agent & Presumption of Buyer Agency"* this is an advanced course that covers Duties Owed By a Licensee to Client and Non-Client, Maintaining and Protecting Confidential Information, Specified Non-Duties of Licensee, Presumption of Buyer Agency, Dual Agency - Single Licensee Dual Agency Prohibited - In-House Sale - Intra Company Agent and Pitfalls to Avoid.

Session 2 - Topic A - 3 hrs. - Instructor - Al Monshower, Jr. (1:00 - 4:15 pm) *"Real Estate Legal Hot Buttons"* the course will cover Maryland Residential Property Disclosure and Disclaimer Act, New Law as to Conservation Easements, Contract of Sale Issues, Promoting and Protecting Interest of Client and Evolving Issues.

The cost is \$50 for each 3 hour session or \$90 for both (6 hour) sessions.

Limited seating to 80 students and reservations can only be made by registration form with payment for class. Calls for registration will not be accepted.

Morning refreshments will be provided; lunch is on your own.

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**FRIDAY, JANUARY 18, 2007**

Topic A - 1.5 hrs. - Instructor - Chuck Kasky, MAR Director of Legal Affairs - "Contracts"

Topic A - 1.5 hrs. - Instructor - Chuck Kasky, MAR Director of Legal Affairs - "Legal Hotline Hot Topics"

More information will follow on the place, times and cost

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## 2007-08 REALTOR® Dues \$548.00

National Association of REALTOR®	\$110.00
Maryland Association of REALTOR®	\$186.00
Garrett County Board of REALTOR®	\$252.00

Dues invoices will be mailed to members in October. Dues are payable November 1, 2007 and must be paid by November 30, 2007 to avoid a 10% late fee. On November 1, 2007 an email notice will be sent to all members that will contain a link to allow you to pay your dues online through the NAR website using either Visa or MasterCard or you can pay by cash or check at the GCBR Board office.

There is a \$16 increase in the National Association Dues. The national dues, which have not increased in more than 13 years, went from \$64 to \$80. the purpose of this increase is to fund various strategic initiatives and expanded services for members nationwide, and it was approved by the NAR Board of Directors this past May.

In addition, the National Association renewals reflect a \$30 assessment to pay for the nationwide REALTOR® Awareness Media Campaign that promotes that use of REALTORS® and is broadcast in all major media markets nationwide during a portion of this year. This is not a new assessment. It has been in effect for the past several years. Please be aware that the annual public awareness assessment will continue to increase to a total of \$40 over the next three years.

The renewal also reflects a \$4 increase in the MAR state dues, which from \$132 to \$136. However, the largest increase reflected on the renewal statement is a \$50 special assessment that the MAR Board adopted in February. The purpose of the assessment is to amass a special Legal and Regulatory Response Fund of between \$4-5million dollars, to be used to fend off legislative and regulatory proposals that would be harmful to the industry, such as lacing a sales tax on your real estate commission. This is proactive initiative on the part of the state organization to prepare for the legislative and regulatory assaults that will threaten the ability of members to conduct business and make a profit. This special assessment is due to sunset after three years, unless there is need to replenish the Legal and Regulatory Response Fund.

These increases have been properly approved by the respective Boards, and are considered by the leadership as necessary to strengthen and enhance services to members, and assure that REALTORS® remain at the center of the real estate transaction and can continue to make a living selling real estate.

The existence of this Legal and Regulatory Response Fund does not eliminate the need to RPAC. Your voluntary RPAC dollars are very important, and go directly to support political candidates who are supportive of the industry. We need RPAC dollars so that we can make certain that the elected officials who see REALTORS® as an influential constituency remain in positions where they can best support you and your business.

Maintaining a strong and effective organization requires adequate funding. The fees and dues you pay are basically an investment in your livelihood and the further of the real estate industry.

Your Garrett County Board of REALTOR® dues includes a \$49 fee for use of ZipForms.

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## ZipForm Renewals

Clarification on renewing your ZipForm Library. There will be no email reminders from ZipForm. You will be prompted when you access the forms library and are within the 30-day expiration to renew.

DESKTOP USERS – all Desktop libraries expire on October 1<sup>st</sup> of each year. When you access the library beginning one month prior to the expiration, you will see a notice that “Your Program License will expire in \_\_\_\_ days” you can renew at that time by clicking the “Step 1” box, next click on “Via Internet”, next click the “Click Here to login at Garrett County Board of REALTORS®”, login to the website Member side, click on “Links” the click “ZipForm Renewals” and verify your information. Once Redemption Code is generated, close out of this window and click “Step 2” to complete the process.

ONLINE USERS – Online libraries are staggered renewals one year from the date you registered for ZipForm access and thus your renewal date will be the same time each year. When you access the library beginning one month prior to the expiration, you will see a notice that “The following libraries will either be expiring within the next 30 days or have already expired”. To renew, click “Renew Now”, under the Expiring Libraries Window, highlight MD-Garrett County Board of REALTORS® and click Add to Order. This will move the GCBR Library to the Order Box to the right (there is no charge), click “Check Out” and to renew, click the “Click Here to login at Garrett County Board of REALTORS®, Inc.”, login tot the website Member side, click on “Links” and click “ZipForm Renewals” and verify your information.

If your broker has his/her own library, you may get a message that states, “Your Library is expiring, contact your broker”. If this happens, your broker/office manager will be prompted to renew the library for all office agents.

If you have any problems renewing, call the Board office for assistance.

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Workforce Housing Certification

**Are you WHC?**

Increasingly, housing costs in many areas are exceeding the financial reach of many low-to-moderate-wage earners, such as service-sector employees, entry-level staff and essential health personnel, as well as teachers, police and firefighters. Additionally, as many REALTORS® and lenders know, minorities and new immigrants often fall victim to discrimination and predatory lending practices. There are financial programs and tools that can help address the problem of affordability and you can learn about them. Develop your knowledge and expertise to serve this important and growing market by taking the steps to become **WHC**. Are you **WHC**?

**Workforce Housing Certified (WHC)** REALTORS® are specially trained to receive customer inquiries on workforce and affordable housing finance programs for selected jurisdictions. Earning this NEW certification requires completion of the following classes in any sequence:

1. **CreditSmart™** (6 hours - no CE), taught by Freddie Mac certified trainers, is a “Training for Trainers” program with a comprehensive curriculum that will prepare you to educate consumers about getting and maintaining good credit, credit scoring and money management towards achieving their financial goals. *Any prior CreditSmart™ certification is counted toward WHC.*
2. **Bridging the Gap between Availability and Affordability** (2 hours CE - Professional Enhancement), taught by WHC REALTORS®, lenders or mortgage brokers, is designed to give practical information about financial products and eligibility standards that may help challenged or first-time homebuyers.
3. **State and Local Programs and Using [www.MDhomeprograms](http://www.MDhomeprograms)** (2 hours - CE Professional Enhancement), taught by WHC REALTORS®, directors of local financing programs and/or staff from the Maryland Department of Housing & Community Development, provides fundamentals about state & local programs available for low/no downpayment, closing cost grants, extended term mortgages, as well as other tax credits, plus local government resources for homeownership education and counseling. (Some content may vary by jurisdiction.)
4. **Federal Programs and National Initiatives** (2 hours - CE Professional Enhancement) includes information on programs and new regulations for HUD/FHA, Veteran's Administration, Rural Housing, as well as national private sector loan/guaranty programs, taught by secondary market reps and lenders, PLUS training from WHC REALTORS® on how to best utilize the website.

Upon completion of the classes, there is no exam and there are no MAR charges or fees for the **WHC** certification. (PLEASE NOTE: There may be some materials or facility costs associated with certain classes and locations.)

After completing the required classes, your name will be placed on a revolving referral list on the [www.MDhomeprograms.com](http://www.MDhomeprograms.com) website, based on your preferred business location. The first name on the top of the list is always changing. **WHC REALTORS®** may choose to be listed for up to 3 jurisdictions. You will also be able to promote your new certification on your business cards, personal website, etc.

After the **WHC** certification is obtained, it is good for two years. All certificates expire on either July 1 or January 1, whichever date immediately follows the two-year anniversary date of certification. Renewal is simple: (1) Re-take the class entitled **State and Local Programs** and (2) Provide evidence that you assisted the purchase of a home, utilizing any of the programs offered on the website, during the previous certification period.

### Schedule of Classes

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#### October 1, 2007

9:00 am - 3:30 pm CreditSmart™, Frederick County Association of REALTORS®  
Frederick Community College, 7932 Opossumtown Pike, Frederick 21702  
To register, go to: [www.fcar.org](http://www.fcar.org), then click on 'Education', then 'Classes'.

#### October 3, 2007

9:00 am - 11:00 am Bridging the Gap from Availability to Affordability  
11:30 am - 1:30 pm State and Local Programs  
2:00 pm - 4:00 pm Federal Programs and National Initiatives  
Sponsored by the Frederick County Association of REALTORS®  
Location: Frederick Community College, 7932 Opossumtown Pike, Frederick 21701  
To register, go to: [www.fcar.org](http://www.fcar.org), then click on 'Education', then 'Classes'.



eKEY

### Troubleshooting

The eKey application stores the 20 most recent errors that have occurred. To view the Error Log, open the eKey application and select **TROUBLESHOOTING** from the main menu. In the *Troubleshooting* screen, the *Error Log* tab displays a list of errors. Tap an error record to view the error details, including how to troubleshoot it.

The *Key info* tab of the *Troubleshooting* screen displays your eKey serial number. If your PDA is inside the eKey shell, the tab also displays the shell product code, battery level, battery voltage, and firmware version number. If you need assistance troubleshooting your Supra software, technical support is available from 5 a.m. to 7 p.m. Pacific Time, seven days a week.



Table 1 Technical support contact information

Website	<a href="http://www.suprakey.com">http://www.suprakey.com</a>
E-mail	<a href="mailto:Suprasupport@ge.com">Suprasupport@ge.com</a>
Telephone	877.699.6787
Fax	503.589.8677

**Note:** *Please have your PDA ready before calling for technical support.*

Another great resource for assistance with your Supra software is the training library, available to all agents. To access the library, go the Supra website at the following location:

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

In the left-hand column of your screen, click the Training link under the *Related Services* section.



## DisplayKEY

### Troubleshooting tips

The following tips can help you troubleshoot common DisplayKEY issues.

#### DisplayKEY is expired

If your DisplayKEY is expired, you need to update it. There are three ways to update your DisplayKey.

- Place your DisplayKEY in the cradle each night to perform an automatic eSYNC.
- Perform a manual eSYNC.
- Go to the KIM website or call KIM voice access to get an update code.

For more information on updating your DisplayKEY.

#### Cannot eSYNC

If you cannot perform an eSYNC, follow these steps:

1. Verify that your cradle is connected properly. If your cradle connects to KIM through a phone line, make sure your phone line is analog and not digital. If your

- cradle connects to KIM through the Internet, verify that your Internet connection is active.
2. If your cradle is connected to a phone line, check the eSYNC number in your DisplayKEY by selecting the ESYNC PHONE # option on your key. Check to see if you need a dialing prefix such as a 1 for long distance or a 9 to access an outside line.
  3. Reset the DisplayKEY cradle (see Cradle is not responding below for instruction).

### **Cradle is not responding**

If you place your DisplayKEY in the cradle and no lights illuminate on the cradle, you need to reset the cradle. Use one of the following methods to reset your cradle:

- Disconnect the cradle's power cord for ten seconds.
- Insert one end of a paper clip into the reset opening on the back of the cradle.
- The reset opening is very small and is located next to the telephone ports.

### **Cannot exit menu option**

If your DisplayKEY won't let you exit a menu option by pressing the up arrow button, press **Enter** and **1** at the same time to reset your key.

### **Key container won't close**

If the key container in a KeyBox appears to be jammed, check to see if the listing keys are blocking the container. If nothing seems to be preventing the container from closing, *do not force it*. Take the KeyBox to your association/MLS for assistance.

### **Code forgotten or lost**

If you do not remember your PIN or KeyBox shackle code, contact your association/MLS for assistance.

### **Bad code timeout**

If you enter ten incorrect codes within a ten minute period, your DisplayKEY emits a buzz tone and times out for ten minutes. At the end of this time period, your DisplayKEY reactivates and is ready for use. To avoid a bad code timeout, verify that you have entered the correct PIN or shackle code before repeating the procedure.



## MRIS

### MRIS to Discontinue Dial-Up Connectivity

Over the past several years, there has been a dramatic decrease in MRIS dial-up connectivity as our customers have migrated to various broadband providers. As usage has decreased, MRIS has gradually downsized its dial-up network to the minimum possible configuration. At this point, adoption of broadband is now approaching 95% of our customer base (and increasing daily), such that our capability to continue providing dial up services is seriously impacted. **MRIS is currently working on a plan with Verizon and Sprint, which will completely eliminate the local dial-up network environment by the end of the year\*.**

In order to meet the year end 2007 timeline, we now need to use the 800-838-7565. This will allow us to start shutting down the affected circuits in a controlled manner. **The 800 dial-up number will be available to all customers until January 7, 2008.**

What does this mean to existing dial-up customers?

1. If you are using dial-up via any provider other than MRIS, there is no impact to you.
2. If you are using MRIS for dial-up, you should start researching alternative Internet providers ASAP.

**\*Please note: Elimination of the dial-up network environment will not impact mris.com e-mail.**

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## NAR – National Association of REALTORS®

The terms REALTOR® and REALTORS® are trademarks of the NATIONAL ASSOCIATION OF REALTORS®. The trademarks, along with the Code of Ethics and Standards of Practice, set members apart from other real state licensees. NAR has adopted certain rules intended to preserve the value of the REALTOR® trademarks for all members, current and future. Take this quiz to see how much you know about the proper use of the REALTOR® trademark.

**1. When the term REALTOR® is used with a member's name, it should appear as follows:**

- ☐ A. William Smith REALTOR®
- ☐ B. William Smith, REALTOR®
- ☐ C. William Smith, realtor®

**O D. William Smith REALTOR®**

CORRECT ANSWER: B. William Smith, REALTOR®. One of the rules governing the proper form for displaying the trademark term is the requirement to separate the trademark terms from the words and phrases that surround it, even when the term appears on separate lines. That means that the trademark terms need to be separated from the name of the member or the member's firm by commas or other appropriate punctuation.

**2. the term REALTOR® is used with a member's name, it should appear as follows:**

**O A. Bob Smith, Your REALTOR® for Life**

**O B. Tom Jones – The Commercial REALTOR®**

**O C. Mary White/South Dakota's Top REALTOR®**

**O D. Jane Brown – REALTOR® and lakefront Realty's top salesperson**

CORRECT ANSWER: D. Jane Brown – REALTOR® and Lakefront Realty's top salesperson. Use of descriptive words or phrases either preceding or following the term REALTOR® or REALTORS® (i.e., "REALTOR® Professional" or "Professional REALTOR®") is expressly prohibited in Article V, Section 7 or NAR's Bylaws. Therefore, saying, "Your REALTOR® for Life," "The Commercial REALTOR®," or "South Dakota's Top REALTOR®" are all prohibited uses of the REALTOR® trademarks. But answer choice D is correct because the term "REALTOR®" is used without any descriptive word or phrases.

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## Case Studies

## Interpretation of the Code of Ethics

Case #2-3: Obligation to Disclose Defects (Revised Case #9-9 May, 1988. Transferred to Article 2 November, 1994.)

Seller A came to REALTOR® B's office explaining that his company was transferring him to another city and he wished to sell his home. In executing the listing contract, Seller A specified that the house had hardwood floors throughout and that the selling price would include the shutters and draperies that had been custom made for the house. Seller A said that he would like to continue to occupy the house for 90 days while his wife looked for another home at his new location, and agreed that REALTOR® B could show the house during this time without making a special appointment for each visit. Accordingly, REALTOR® B advertised the house, showed it to a number of prospective buyers, and obtained a purchase contract from Buyer C. Settlement was completed and at the expiration of the 90-day period from the date of listing. Seller A moved out and Buyer C moved in.

ON the day that Buyer C moved in, seeing the house for the first time in its unfurnished condition, he quickly observed that hardwood flooring existed only on the outer rim of the floor in each room that had been visible beyond the edges of rugs when he inspected the house, and that the areas that had been previously covered by rugs in each room were of subflooring material. He complained that REALTOR® B, the listing broker, had misrepresented the house in his advertisements and in the description included in his listing form which had specified “hardwood floors throughout.” Buyer C complained to REALTOR® B, who immediately contacted Seller A. REALTOR® B pointed out that the house had been fully furnished when it was listed and Seller A has said that the house had hardwood floors throughout. Seller A acknowledged that he had so described the floors, but said the error was inadvertent since he had lived in the house for ten years since it had been custom built for him. He explained that in discussing the plans and specifications with the contractor who had built the house, the contractor had pointed out various methods of reducing construction costs, including limiting the use of hardwood flooring to the outer rim of each room’s floor. Since Seller A had planned to use rugs in each room, he had agreed, and after ten years of living in the house with the subflooring covered by rugs, he had “simply forgotten about it.”

REALTOR® B explained, however, that Seller A’s description, which he had accepted, the resulted in misrepresentation to the buyer. “But it’s a small point,” said Seller A. “He’ll probably use rugs too, so it really doesn’t make any difference.” After further pressure from REALTOR® B for some kind of adjustment for Buyer C, Seller A concluded, “It was an honest mistake. It’s not important. I’m not going to do anything about it. If Buyer C thinks this is a serious matter, let him sue me.”

REALTOR® B explained Seller A’s attitude to Buyer C, saying that he regretted it very much, but under the circumstances could do nothing more about it. It was at this point that Buyer C filed a complaint with REALTOR® B Board.

At the hearing before a Hearing Panel of the Professional Standards Committee of REALTOR® B’s Board, during which all of these facts were brought out, the panel found that REALTOR® B had acted in good faith in accepting Seller A’s description of the property. While Article 2 prohibits concealment of pertinent facts, exaggeration, and misrepresentation. REALTOR® B had faithfully represented to Buyer C information given to him by Seller A. There were no obvious reasons to suspect that hardwood floors were not present throughout as Seller A had advised. REALTOR® B was found not in violation of Article 2.

# Garrett County Board of REALTORS®

GCBR News Briefs - November 2007

November 1, 2007

## *Membership Update*

### *New REALTOR® Members:*

*Timothy Cosner, Garrettland, Inc.*

*Lisa Murray, Garrettland, Inc.*

*Kenny Green, Real Estate by Vickie Jenkins*

*Vickie Jenkins, Real Estate by Vickie Jenkins*

### *Transfers:*

*Michelle Hall, Realty Direct Deep Creek Lake/Western MD*

*Jerry Gagnon, Custer Realty & Auction Service*

### *New Affiliate Members:*

*Bob Bodell, Chevy Chase Bank – Mortgage Division*

### *Drops:*

*Carol DiCenso, Long & Foster Real Estate, Inc.*

*Kevin Brown, Chevy Chase Bank – Mortgage Division*

*Julie Winters, Long & Foster Real Estate, Inc.*

*Donna Sites, Accuracy Plus Appraisals*

*Esther Friend, Railey Realty*

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## **Government Affairs Committee Report – Paul Durham, G.A.D. Government Affairs Director Monthly Report**



URGENT REALTOR RALLY

Thursday, November 1

11:30 – 1 pm

# ***We need YOU back in ANNAPOLIS!***

The tax on property management services is back. The legislature will be hearing this proposal on Thursday, November 1.

**Because it is a Special Session, our Rally activities will be limited to two and a half hours on Thursday, November 1.**

**We need you to drop information off at all of the House and Senate offices. Some local Boards and Associations will be arranging buses to transport you. Check with [mdrealtor.org](http://mdrealtor.org) for more information or with your local Board or Association.**

***Get READY Annapolis...here WE come!***

## **Update on the Governor's Proposal to Tax Real Property Management Services:**

MAR has been working hard to lobby on behalf of Maryland's Realtors® to defeat Governor O'Malley's proposed sales tax on real property management services. A report in the Baltimore Sun on October 29 indicates that both the Governor and various legislative leaders now see this tax as regressive, i.e. it hits lower income people disproportionately. As MAR has pointed out in several of their recent e-mailings, this is just one of many reasons why this is an unwise and unfair proposal.

MAR has planned a rally in Annapolis on Thursday November 1 from 11:30 am to 1:00 pm. Those attending are asked to assemble at Lawyer's Mall in front of the State House. Parking and shuttles are available at the Navy/Marine Corps Stadium off Rowe Blvd and Taylor Avenue, directly across from the DNR building.

Details on the rally and MAR's work to date can be found on-line at:

[http://www.mdrealtor.org/images/filemanager/SpecialSessionMAREffortstodate\\_oct\\_25\\_2007.pdf](http://www.mdrealtor.org/images/filemanager/SpecialSessionMAREffortstodate_oct_25_2007.pdf)

and at

[http://www.mdrealtor.org/images/filemanager/Nov1stREALTORRALLYInformation\\_oct\\_25\\_2007.pdf](http://www.mdrealtor.org/images/filemanager/Nov1stREALTORRALLYInformation_oct_25_2007.pdf)



**The Garrett County Chamber of Commerce has also formally supported MAR and the Board of Realtors® position on this tax. We extend a big “thank you” to the Chamber and its members for their support!**

### **Deep Creek Lake Comprehensive Plan – drafts to be released by county:**

Watch your e-mails for news of the upcoming release of various chapters of the county's new comprehensive plan. There will be several significant changes in land use that will affect residential lots in the Deep Creek watershed, rural properties, and commercial growth and development. The Board and Government Affairs Committee are closely monitoring this process and providing input in areas that affect the real estate industry.

### **What's the latest on the TVRU ordinance changes?**

As you know, it has been some months since the county began to review the TVRU ordinance for changes that are needed in light of a year of experience and various issues that arose during that first year. A licensing appeal held up that process for several months. Now that the appeal is settled, the county has moved forward with its work. According to Deputy Pat Kelly, the committee will be meeting with the Planning Commission on November 7 at 1:30 to review their work to date and to receive input from commission members.

### **DNR Proposes Changes to Personal Watercraft (PWC) Regulations at Docks:**

The DNR lake management office, in consultation with the DCL Policy and Review Board, is proposing several significant regulation changes as to how PWC may be moored and beached at permit sites around the lake. The DNR describes this as “regulation changes to remove PWC from the buffer strip”. Several options of benefit to property owners, including the ability to moor one PWC at your dock (in addition to the other boats), would result if the change goes through. Questions remain as to how many PWC may be moored at existing common docks.

Property owners with more than one PWC are the most effected, as the 500 pound weight limit regulation will remain in effect. The changes provide no relief on the weight limit.

A copy of the proposed changes will soon be posted on the DNR's web site. We will send that URL to you as soon as it becomes available. You may e-mail Paul Durham at [pdurham@cebridge.net](mailto:pdurham@cebridge.net) if you would like to have a copy of the most recent DNR proposal sent to you.

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## Continuing Education

### Mark Your Calendars:

**FRIDAY, JANUARY 18, 2007**

**Topic A - 1.5 hrs. - Instructor - Chuck Kasky, MAR Director of Legal Affairs - "Contracts"**

**Topic A - 1.5 hrs. - Instructor - Chuck Kasky, MAR Director of Legal Affairs - "Legal Hotline Hot Topics"**

**More information will follow on the place, times and cost**

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## MD Real Estate License Renewal Requirements

### Required Topic for ALL Licensees

1. Topic D - Real estate ethics or professional standards – 3 clock hrs.
2. Topic A – Federal, state or local legislative issues – 3 clock hrs.
3. Topic C – Fair Housing Law – 1.5 clock hrs.

### Hours Requirements

Less than 10 years of licensure – 15 clock hrs.

At Least 10 years of licensure – 9 clock hrs.

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## 2007-08 REALTOR® Dues \$548.00

National Association of REALTOR®	\$110.00
Maryland Association of REALTOR®	\$186.00
Garrett County Board of REALTOR®	\$252.00

2007-08 Dues of \$548.00 are due and payable November 1, 2007 and must be paid by November 30, 2007 to avoid a 10% compounding late fee. The first part of October, members were sent a hardcopy due invoice information packet which can be paid by cash or check to GCBR. This packet also contained additional information instructions on how to pay your dues online. Dues online invoice will be released on October 31, 2007 to enable members to pay their dues with either Visa or MasterCard through the NAR website.

There is a \$16 increase in the National Association Dues. The national dues, which have not increased in more than 13 years, went from \$64 to \$80. The purpose of this increase is to fund various strategic initiatives and expanded services for members nationwide, and it was approved by the NAR Board of Directors this past May.

In addition, the National Association renewals reflect a \$30 assessment to pay for the nationwide REALTOR® Awareness Media Campaign that promotes that use of REALTORS® and is broadcast in all major media markets nationwide during a portion of this year. This is not a new assessment. It has been in effect for the past several years. Please be aware that the annual public awareness assessment will continue to increase to a total of \$40 over the next three years.

The renewal also reflects a \$4 increase in the MAR state dues, which from \$132 to \$136. However, the largest increase reflected on the renewal statement is a \$50 special assessment that the MAR Board adopted in February. The purpose of the assessment is to amass a special Legal and Regulatory Response Fund of between \$4-5million dollars, to be used to fend off legislative and regulatory proposals that would be harmful to the industry, such as lacing a sales tax on your real estate commission. This is proactive initiative on the part of the state organization to prepare for the legislative and regulatory assaults that will threaten the ability of members to conduct business and make a profit. This special assessment is due to sunset after three years, unless there is need to replenish the Legal and Regulatory Response Fund.

These increases have been properly approved by the respective Boards, and are considered by the leadership as necessary to strengthen and enhance services to members, and assure that REALTORS® remain at the center of the real estate transaction and can continue to make a living selling real estate.

The existence of this Legal and Regulatory Response Fund does not eliminate the need to RPAC. Your voluntary RPAC dollars are very important, and go directly to support political candidates who are supportive of the industry. We need RPAC dollars so that we can make certain that the elected officials who see REALTORS® as an influential constituency remain in positions where they can best support you and your business.

Maintaining a strong and effective organization requires adequate funding. The fees and dues you pay are basically an investment in your livelihood and the further of the real estate industry.

Your Garrett County Board of REALTOR® dues includes a \$49 fee for use of ZipForms.

**Garrett County Board of REALTOR® Bylaws, Article X Dues & Assessments, Section 4. Nonpayment of Financial Obligations.** If dues, fees, fines, or other assessments including amounts owed to the Board are not paid within one (1) month after the due date, the nonpaying Member is subject to suspension at the discretion of the Board of Directors. Two (2) months after the due date, membership of the nonpaying Member may be terminated at the discretion of the Board of Directors. Three (3) months after the due date,

membership of the nonpaying Member shall automatically terminate unless within that time the amount due is paid. However, no action shall be taken to suspend or expel a Member for nonpayment of disputed amounts until the accuracy of the amount owed has been confirmed by the Board of Directors. A former Member who has had his membership terminated for nonpayment of dues, fees, fines, or other assessments duly levied in accordance with the provisions of these Bylaws or the provisions of other Rules and Regulations of the Board or any of its services, departments, divisions or subsidiaries may apply for reinstatement in a manner prescribed for new applicants for membership, after making payment in full of all accounts due as of the date of termination.

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Maryland Association  
of REALTORS®

### NEW LEGAL HOTLINE WEB-QUESTION FORM NOW AVAILABLE

MAR Legal Department is now offering the ability for members to submit Legal Hotline questions online. Check out the link below. Questions will be answered by the attorneys who currently answer Hotline phone calls. Simply fill out the form and click "Submit." Our written response will be sent to you as soon as possible. We hope you will take advantage of this new member benefit.

<http://www.mdrealtor.org/LegalHotline/LegalHotlineWebQuestionForm/tabid/261/Default.aspx>

### Maryland Association REALTORS®

#### MAR Town Hall Meetings

Wednesday, November 28, 2007

Westin Hotel

49 Spa Road (at Taylor Avenue & West Street)

Annapolis, MD 21401

11:30 AM – 1:30 PM (Includes Lunch)

Room Capacity – 125

Monday, March 17, 2008

Martins Westminster

140 Village Shopping Center

505 Jermor Land Road

Westminster, MD 21157

11:30 AM – 1:30 PM (Includes Lunch)

Room Capacity – 125

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Join your colleagues for an informal complimentary lunch, meet the 2008 MAR Leadership and staff, and get the answers to those questions... whether it's a legislative, regulatory, legal, contract, "help me," or a "when or why" question, this is the time and place to get the answers. No question will be left unanswered.

Bring yourself, bring your colleagues, and bring lots of questions!

**TO REGISTER:** Call or email Katie Pantos at MAR -410-841-6080, [katiepantos@mdrealtor.org](mailto:katiepantos@mdrealtor.org) and give her your name and the name of your Board and which meeting you would like to attend.



**eKEY**

## Messages

The *Messages* option in the *eDATA* application displays message delivered to your PDA during eSYNC from your Board/MLS, your broker, or GE Security.

To view messages, select **MESSAGES** from the *eDATA* menu. The *Messages* screen displays a list of messages received during the last eSYNC. Select a record to view the entire message.

## Roster

The *eDATA* application provides you with a roster of the members in your Board/MLS. When you perform your first manual eSYNC using the **UPDATE KEY & MLS** option, the entire roster is downloaded to your PDA. Changes to roster data are downloaded with each subsequent eSYNC.

To view the roster, select **ROSTER** from the *eDATA* menu. The *Roster* screen displays your Board/MLS agent roster. To look up an agent, select the *Look Up* field and enter the first few letters of the agent's last name. As you enter the letters, the list scrolls to the nearest matching record. Continue entering letters to spell out the member's name until it is highlighted on the screen.

Select an agent name to view detailed contact information, including the agent's phone number, office name, office phone number, and e-mail address. If you have a PDA phone with the Palm OS, tap the arrow next to the phone number field to dial the listing agent's phone number. On a Windows Mobile PDA phone, select the phone number link.

## Client profiles

The *eDATA* application lets you create and save custom searches based on a profile that matches a client's specific preferences.

To create a client profile:

1. Select **CLIENTS** from the *eDATA* menu.
2. Select **New**.
3. Select fields to enter the client profile information. You can also enter notes in the profile.
4. On Palm PDA, tap **OK** when you are finished. On a Window Mobile device, select **Done**.

Once you've created a saved client profile, you can view listings that match the profile's specifications. On a Palm PDA, open **CLIENTS** from the *eDATA*, menu, select a profile name from the list, then select **Search**. For Windows Mobile, select a profile name from the list, then go to **Options / Search**.



## DisplayKEY

### eSYNC

Your DisplayKEY expires on a daily basis and is designed to automatically update during the night so it's ready to access KeyBoxes the next morning. In a process called *eSYNC*, your DisplayKEY connects to the Supra network, exchanges information, and updates itself. When you turn on your DisplayKEY, the screen displays a message indicating your key's update status.

If you forget to place your DisplayKEY in the cradle and miss an automatic *eSYNC* during the night, you can perform a manual *eSYNC* at any time to update your key.

### Automatic eSYNC

Your DisplayKEY is programmed to automatically perform an *eSYNC* at a designated time each night between midnight and 6 a.m. During the *eSYNC* process, your DisplayKEY uploads showing activity into KIM and updates itself for the following day.

We recommend that you place your DisplayKEY in the cradle each night to ensure that your key is updated and fully charged the next morning.

## Manual eSYNC

You can perform a manual eSYNC at any time to update your DisplayKEY and upload your showing activity into the KIM network.

To perform a manual eSYNC, do the following:

1. Press **Enter** to turn on your DisplayKEY.
2. Scroll to the MANUAL ESYNC menu option and press **ENTER**.
3. Place your DisplayKEY in the cradle.

The cradle light turns green, indicating that the DisplayKEY and cradle are connected. When the cradle light turns red, the cradle is connected to KIM

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**CAUTION:** Do not remove the DisplayKEY from the cradle when the cradle light is red!

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The DisplayKEY screen displays the message *CONNECTING TO CRADLE* during the eSYNC process. When the process is complete, the cradle light turns green, and the DisplayKEY's status is displayed on the screen. You can now remove the DisplayKEY from the cradle.

### eSYNC phone number

If your DisplayKEY cradle connects to KIM through an analog phone line, the phone number your DisplayKEY dials to perform an eSYNC is stored in the Key. Up to two phone number can be stored in the DisplayKEY. Your DisplayKEY uses the most recently entered number to dial KIM.

GE Security Support can provide you with the best phone number for your area. Get assistance from Support before changing the eSYNC phone number in your DisplayKEY.

To change the eSYNC phone number in your DisplayKEY, do the following:

1. Press **ENTER** to turn on your option and press Enter.
2. Scroll to the ESYNC PHONE # menu option and press **Enter**.
3. Press **1** to select the first phone number or **2** to select the second.
4. The phone number is displayed. Press **Enter** to accept the existing phone number, or use the DisplayKEY keypad to enter a new phone number. Press **Enter** to accept the new phone number.

If your area uses 10-digit-dialing, include the area code when entering the phone number. Enter any dialing prefixes, such as a 1 for long distance or a 9 to access an outside line. The following special characters can be included in an eSYNC phone number: pound



(#), asterisk (\*), and comma (,). Check with your telephone service provider to determine if you need to include any of these special characters in your eSYNC phone number.

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## MRIS

### Product Overview

MRIS, in cooperation with Tarasoft and Most Home Technologies, is proud to provide wireless access to MRIS content at **no additional charge** to MRIS customers.

Matrix Wireless provides access to all listing statuses and the primary photo for each property.

**Note:** Matrix Wireless **does not** include wireless hardware devices or subscription to a data access plan from a wireless service provider.

Agents will have the capability to search MRIS content from their wireless handheld device, anytime, anywhere there is cellular/wireless coverage. Matrix Wireless is a browser-based system, providing quick and easy access to listing details.

Matrix Wireless runs on any device supporting HTML Internet browsing. Popular devices compatible with Matrix Wireless include:

- ❑ BlackBerry™ handhelds
- ❑ Palm™ Treo 600/650 handhelds
- ❑ Pocket PCs with either Windows® Mobile 2003 or SmartPhone

### Features

Using Matrix Wireless, agents can do the following:

- ❑ Access MRIS content in real-time wherever cellular/wireless access is available.
- ❑ Search by any number of search parameters including address, property type, number of bedrooms, number of bathrooms, and status.
- ❑ View up to 30 fields of key-listing data including original price, list price, square footage, remarks, and showing instructions.
- ❑ View full color exterior property photos.

### Pricing

Access to this product is included with your MRIS subscription at no additional charge.

To Register for Matrix Wireless:

Step 1: Click on this register link to register. Complete the registration form (using your MRIS Agent ID and email address).

Step 2: You will receive an email confirming that your registration has been processed.

Step 3: To access the wireless application, go to <http://matrixwireless.mris.com> to sign-in and use the product.

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## NAR – National Association of REALTORS®

The terms REALTOR® and REALTORS® are trademarks of the NATIONAL ASSOCIATION OF REALTORS®. The trademarks, along with the Code of Ethics and Standards of Practice, set members apart from other real state licensees. NAR has adopted certain rules intended to preserve the value of the REALTOR® trademarks for all members, current and future. Take this quiz to see how much you know about the proper use of the REALTOR® trademark.

**1. When an NAR member identifies his or her profession, it is correct to say:**

- ☐ A. I am a commercial REALTOR®
- ☐ B. I am a real estate broker and a REALTOR®
- ☐ C. I am an independent REALTOR®
- ☐ D. I am a top REALTOR®

**CORRECT ANSWER:** B. I am a real estate broker and a REALTOR®. The term REALTOR® identifies the person's status as a member of NAR. While all REALTORS® are in the real estate business, not all are engaged in the same facet of that business. The term REALTOR® should never be used as a synonym for the services a member provides. A simple test to check whether the term REALTOR® is used correctly is to substitute the phrase "member of the association" for the term REALTOR® and then see if the statement has the intended meaning.

**2. The term REALTOR® when used with a real estate company name should appear as follows:**

- ☐ A. Sunshine Company, REALTORS®
- ☐ B. Sunshine REALTORS® Company
- ☐ C. Sunshine, REALTORS®, Company
- ☐ D. Sunshine Company REALTORS®

**CORRECT ANSWER:** A. Sunshine Company, REALTORS®. NAR members are authorized to use the term REALTOR® or REALTORS® with the name of their company, but not as a part of the legal name of that company. The term should be separated from the company name with appropriate punctuation (e.g., a comma or a dash) to emphasize that the term is separate from the company name.

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# Case Studies

## Interpretation of the Code of Ethics

Case #1-10: Obligations Under Exclusive Listing (Originally Case #7-12. Reaffirmed May, 1988. Transferred to Article 1 November, 1994. Revised November, 2001.)

At the time Client A signed an exclusive listing agreement with REALTOR® B, they discussed market conditions and prevailing prices, and agreed on listing at \$156,900. After six weeks with no apparent interest in the house. Client A called REALTOR® B to learn why his property was receiving scant attention from prospective buyers. REALTOR® B said, “It’s not hard to diagnose the trouble. Your property is overpriced. That was clear to me by the time we had it listed for ten days. In this market, it would take a really interested buyer to go as high as \$149,000 for it. That’s why it hasn’t been possible for us to push it. “When you reached that conclusion, why didn’t you tell me?” asked Client A “Because,” said REALTOR® B, it wouldn’t have done any good. I know from experience that sellers can’t be convinced that they are overpricing their property until they get tired of waiting for an offer that will never come. Now that the market has taught you something that you would not take as advice, let’s reduce the price to \$148,900 and push it.”

Client A complained about REALTOR® B to the Board of REALTORS®, detailing these circumstances, strongly insisting the REALTOR® B had fully agreed with him on the price at which the property was originally listed.

Client A reiterated this point strongly at the hearing of his complaint which was held before a Hearing Panel of the Board’s Professional Standards Committee. REALTOR® B did not contest this, taking the position that at the time of the listing it was his judgment that a price of \$156,900 was fair and obtainable in the market. He stated that a strong immediate sales effort had convinced him that the listed price was excessive, and he defended his action of reducing his sales effort as he had done in his discussion with the client. He said that many years of experience as a broker had convinced him that once a seller decides on a definite price for his property, no argument or analysis will shake his insistence on getting that price; that only inaction in the market is convincing to the sellers.

The Hearing Panel concluded that REALTOR® B’s conduct had violated Article 1 of the Code of Ethics, which requires REALTORS® to protect and promote their clients’ interests. The panel also found that since REALTOR® B honestly felt the original listing price of \$156,900 was the fair market value at the time he listed it, REALTOR® B had not violated the Code of Ethics by suggesting that the price be lowered. However, since REALTOR® B later concluded the property was overpriced, he should have immediately notified Client A of his conclusion and not waited for Client A to call him six weeks later.



## Garrett County Board of REALTORS®

GCBR News Briefs - December 2007

December 1, 2007

### *Membership Update*

#### *New REALTOR® Members:*

Ashley Liller, Railey Realty  
Dawn Stubler, Coldwell Banker Deep Creek Realty

#### *Transfers:*

#### *New Affiliate Members:*

Glen Champlin, Building Specs/EZ Breathe of Western Maryland

#### *Drops – Agents:*

Earl George, Coldwell Banker Deep Creek Realty  
Tracy Harding, Long and Foster Real Estate, Inc.  
Fred Washburn, Coldwell Banker Deep Creek Realty  
Diana Washburn, Coldwell Banker Deep Creek Realty  
M. Lee George, Jr., Coldwell Banker Deep Creek Realty  
Cambria Harman, Long and Foster Real Estate, Inc.  
Linda Smith, Long and Foster Real Estate, Inc.  
Marshall (Tom) Wilt, Marshall Wilt Real Estate Appraisals  
Vickie Berry, Mountain Vista Properties  
Craig Dart, Re/Max All Pro – Secondary Member

#### *Drops – Offices:*

Mountain Vista Properties

#### *Drops – Affiliate:*

Bobbi Sisler, Countywide Home Loans



## **Government Affairs Committee Report – Paul Durham, G.A.D. Government Affairs Director Monthly Report**

### **MAR successful at removing property management services from the legislature's tax plans:**

By now, most of you are aware of the hard work that the MAR team in Annapolis did to stop legislation on taxing real property management services. The governor's office told MAR that they had received more letters and e-mails on this single issue than on all of the other tax proposals that were put forward. An increase in the state's accommodations tax was also defeated.

Kudos goes out to all of our members who participated in the "Call for Action" e-mail campaign and to the folks at MAR who worked so hard to defeat this.

### **TVRU ordinance – positive changes might be on the horizon:**

On November 7, the Planning Commission reviewed a revision of the TVRU ordinance that had been prepared by county staff. The county's purpose for making the changes was to bring the TVRU ordinance in line with the language of the zoning ordinance that deals with single-family use along with some technical changes in licensing and inspection standards and procedures.

For a number of months, Realtors® and rental agencies have been concerned that the single-family restriction negatively impacts the ability to rent TVRUs for small groups, such as mixed family reunions, church and business retreats, and groups of senior citizens, singles and couples. After reviewing the proposal, the Commission asked the Planning and Land Development Office to look at ways to facilitate these types of groups and to remove the "single family" restriction in the ordinance.

On November 20, John Nelson reported to the county commissioners that he would be presenting a zoning ordinance revision to the Commission at its December 5 meeting. The proposal would remove the "single family" terminology from the ordinance's definition of a TVRU. If approved, this change should have a positive impact on the appeal of TVRUs to a broader market of vacationers and investors. It would also make management of the TVRUs much easier for both agents and owners.

### **Deep Creek Lake Comprehensive Plan – drafts released by county:**

The county has released drafts of the first four chapters of its revised comprehensive plan. These chapters can be found on the internet at

<http://www.co.garrett.md.us/PlanningLand/PlanningZoning/Planning.aspx>

The county held a public meeting on November 19<sup>th</sup> to explain the revisions and to solicit comments on the drafts. The most significant item in the plan is a policy statement that the county is concerned about the amount of development that is occurring. Data in the plan shows only a slight amount of development since the 1973 inventory of rural (resource) lands; with only about a 5% conversion rate to residential or commercial uses over a 32 year period.

As a result of this policy conclusion, the plan recommends significant changes to the county's subdivision regulations in rural areas. Approximately 150,000 acres of private R (Rural) land

stands to be converted to the much more restrictive RR (Rural Resource) or AR (Agricultural Resource) designation. GCBR has told the county that we are concerned about the degree of notice that landowners have received about the proposal and that great deference should be given to rural property owners and their opinions on the changes. The Farm Bureau has formally come out in opposition to the proposal.

GCBR also provided additional input and recommendations on a number of technical issues. General comments were also made dealing with the need for planning for emergency services, housing affordability, north-south transportation corridors, and the need for managing negative land uses in and around the lake's new "influence area".

### **DNR Proposes Changes to Personal Watercraft (PWC) Regulations at Docks:**

At its meeting on October 29, the DCL Policy and Review Board reviewed a number of proposed changes to the lake regulations as they pertain to PWCs. The changes affect the ability of lakefront property owners to both moor PWCs at docks and to beach them on shore. DNR's expressed long-term goal is to remove all PWCs from the lakefront and instead provide for limited docking at permit sites.

The proposed regulations were originally slated to proceed to promulgation over the next few months. Concerns from the public and several PRB members on the effect of the changes, particularly the lack of protection for existing approved PWC stands and the rights of existing common dock permittees, resulted in the proposal being referred back to the PRB's committee for further review and work. Paul Durham provided comments on behalf of the GCBR on various gaps in the proposal.

Property owners with more than one PWC are the most effected, as the 500-pound weight limit regulation will not change. The changes provide no relief on the weight limit.

You may e-mail Paul Durham at [pdurham@cebridge.net](mailto:pdurham@cebridge.net) if you would like to have a copy of the DNR proposal sent to you.

### **County Considering "Unsafe Structures" Ordinance:**

The County Commissioners held a public hearing on November 20 on a proposed Unsafe Structures Ordinance. The intent of the ordinance is to provide the county with an enforcement mechanism to deal with blighted and unsafe structures and dwellings, for which no local regulations currently exist.

The proposed ordinance can be viewed on-line at

<http://www.co.garrett.md.us/PlanningLand/PlanningZoning/Planning.aspx>

The public comment period will remain open until December 4.

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## Continuing Education

# Mark Your Calendars:

**FRIDAY, JANUARY 18, 2007**

**Topic A - 1.5 hrs. - Instructor - Chuck Kasky, MAR Director of Legal Affairs - "Contracts"**

**Topic A - 1.5 hrs. - Instructor - Chuck Kasky, MAR Director of Legal Affairs - "Legal Hotline Hot Topics"**

**More information will follow on the place, times and cost**

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## MD Real Estate License Renewal Requirements

### Required Topic for ALL Licensees

1. Topic D - Real estate ethics or professional standards – 3 clock hrs.
2. Topic A – Federal, state or local legislative issues – 3 clock hrs.
3. Topic C – Fair Housing Law – 1.5 clock hrs.

### Hours Requirements

Less than 10 years of licensure – 15 clock hrs.

At Least 10 years of licensure – 9 clock hrs.

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## Check contact information on GCBR website

To check to see if your contact information is current, it's easy. Go to [www.gcbr.org](http://www.gcbr.org) click on **Members**. It will ask you for a user name **gcbr** and the password is **garrettbd**. Now you want to click on **Members**. Then scroll down and find your office, and look up your contact information. If this information is incorrect, please notify Heather at the GCBR office at 301-334-8405 or e-mail her at [gcbraassistant@mrisc.com](mailto:gcbraassistant@mrisc.com)

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Maryland Association  
of REALTORS®

### **VOLUNTEERS NEEDED FOR "RE-BUILD" IN SLIDELL LOUISIANA-**

MAR will again sponsor a Habitat for Humanity Gulf Coast "re-build" Monday through Thursday and a half a day on Friday, January 20-26, 2008. Volunteers will be responsible for their own airfare and one meal each day. MAR will pay for hotel (double occupancy) and other meals. Contact Kara Ardison: [kara.ardison@mdrealtor.org](mailto:kara.ardison@mdrealtor.org) or Steve Fox: [steve@foxrealtyservices.com](mailto:steve@foxrealtyservices.com) Space is very limited – call immediately.

### **MAR TOWN HALL MEETING**

Join your colleagues for an informal complimentary lunch, meet the 2008 Leadership and staff, and get the answers to those questions... whether it's a legislative, regulatory, legal, contract, "help me," or a "when or why" question, this is the time and place to get the answers. MONDAY, MARCH 17, 2008, MARTINS WESTMISTER, 140 Village Shopping Center, 505 Jermor Land Road, Westminster, Maryland 21157, 11:30 AM – 1:30 PM (INCLUDES LUNCH) Register with Katie Pantos at MAR – 410-841-6080, [katie.pantos@mdrealtor.org](mailto:katie.pantos@mdrealtor.org) and give her your name and the name of your Board.

### **HOLIDAY OPEN HOUSE AT MAR**

#### **DECEMBER 13, 2007 - ALL MEMBERS WELCOME!**

President Carole Maclure and the Leadership cordially invite you to The Maryland Association of REALTORS® Holiday Open House, Thursday, December 13, 2007, 1:00-3:00 PM, 2594 Riva Road Annapolis MD 21401, R.S.V.P: [Rebecca.baker@mdrealtor.org](mailto:Rebecca.baker@mdrealtor.org) or call 800-638-6425

### **Have a question about Ethics, Professional Standards, or a Transaction dispute?**

Visit our new Dispute Resolution tab on [www.mdrealtor.org](http://www.mdrealtor.org) and see what valuable resources we have available for you, your customers, and your clients. Please contact Mackenzie at [mackenzie.wescott@mdrealtor.org](mailto:mackenzie.wescott@mdrealtor.org) for further assistance.



# SUPRA



eKEY

## eKEY Loans

*eKey Loans* is a simple mortgage and loan calculator included in the Supra applications that lets you do the following:

- calculate almost all mortgage and personal loans, including Canadian mortgages;
- determine loan amounts based on a monthly payment;
- calculate and display amortization schedules; and
- export loan information with a detailed analysis and amortization schedule.

You can calculate the price, interest rate, loan term, or the monthly payment amount for a loan. To perform a calculation in eKEY Loans, select the calculation type from the *Calculate* dropdown list, then enter information in the appropriate fields. The calculation appears at the bottom of the screen.

You can do the following with loan calculations in *eKEY Loans*:

**Create new.** To reset the fields to zero and create a new calculation on a Palm device, tap eKEY Loans at the top of the screen and select **New Loan**. On a Windows device, select **File/New**.

**Save.** To save a calculation on a Palm device, tap eKEY Loans, select Save Loan or Save Loan As, then enter a name for the calculation. On a Windows device, select **File/Save**.

**Open.** To open a calculation that you previously saved on a Palm device, select **Open Loan** from the *eKEY Loans* menu. On a Windows device, select **File/Open**.

**Delete.** To delete a saved calculation on a Palm device, select **Delete Loan** from the *eKey Loans* menu. On a Windows device, select **File/ Delete**.

**View amortization.** To view the amortization schedule for a loan on a Palm device, tap *eKEY Loans*, then tap *Info*. From the *Info* menu, select **Amortization Table**. ON a Window device, select **Options/Amortization**.

## Mapopolis

The Mapopolis application lets you view maps for specific listings in your market area. County maps are provided to you free of charge through the KIM website. To install a county map, do the following:

1. Go to [www.supraekey.com](http://www.supraekey.com) and log on to the KIM website.
2. Click the *Maps* link in the left-hand column of your screen.
3. Click the *Mapopolis* link in the center of your screen.
4. Select your state from the dropdown list, then click **Show All Maps**.
5. Click the name of the county map you want to download.
6. Follow the instructions for your operating system to download the map:

**Palm.** Click the *Download Map* link under *Map for Palm OS*. In the *File Download* window, click **Open**. When the file has finished downloading, click **OK** to add the map to your *Palm Quick Install* utility. The map will be downloaded to your PDA the next time you perform a HotSync with your computer.

**Windows Mobile.** Right-click the *Download Map* link under *Map for Pocket PC*. Select *Save Target As*, then save the file to your desktop. Place your PDA in its cradle to connect it with your computer. In the *ActiveSync* application on your computer, click *Explore* to open the *Mobile Device* folder. Drag the map file from your desktop to any location in the *Mobile Device* folder. *ActiveSync* will transfer the map to your PDA.

After your county maps are installed, the *eDATA* application provides a link to the map when you are viewing a listing record. To open the map on a Palm PDA, tap the arrow next to the listing address. In Windows Mobile, select the address to open the map. You can also view maps by opening the *Mapopolis* application directly.

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# MRIS

## New Secure Login process

With the implementation of Secure Login, some changes will occur with how you authenticate to access Matrix, Keystone and MRIS.com. In the beginning of the rollout while tokens are being mailed to all subscribers over several weeks, the new Secure Login screen will be rolled out as well. You may call the help desk for any question at 888-838-8200

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To Register for Matrix Wireless:

Step 1: Click on this register link to register. Complete the registration form (using your MRIS Agent ID and email address).

Step 2: You will receive an email confirming that your registration has been processed.

Step 3: To access the wireless application, go to <http://matrixwireless.mris.com> to sign-in and use the product.

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## NAR - National Association of REALTORS®

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The terms REALTOR® and REALTORS® are trademarks of the NATIONAL ASSOCIATION OF REALTORS®. The trademarks, along with the Code of Ethics and Standards of Practice, set members apart from other real state licensees. NAR has adopted certain rules intended to preserve the value of the REALTOR® trademarks for all members, current and future. Take this quiz to see how much you know about the proper use of the REALTOR® trademark.

**1. Which of the following would be an incorrect use of the term REALTOR® in a Web site domain name?**

- ☐ A. [www.RealtorJohnSmith.com](http://www.RealtorJohnSmith.com)
- ☐ B. [www.NorthShoreRealtor.com](http://www.NorthShoreRealtor.com)
- ☐ C. [www.MaryJonesRealtor.com](http://www.MaryJonesRealtor.com)
- ☐ D. [www.BObSmithgtheRealtor.com](http://www.BObSmithgtheRealtor.com)

CORRECT ANSWER: B. [www.NorthShoreRealtor.com](http://www.NorthShoreRealtor.com). NAR members may use the term REALTOR® in their domain name or e-mail address provided that the term appears with the member's name or the name of the member's company. So a general descriptive URL that seeks to identify a characteristic of the member, such as where he is located or the type of property she specializes in with the term REALTOR®, like [ww.NorthShoreRealtor.com](http://ww.NorthShoreRealtor.com), would not be a correct use of the term REALTOR® in a domain name.

**2. How may the principal of a real estate company who is a REALTOR® use the REALTOR® trademarks in company advertisement if the company has both member and non-member salespeople?**

- ☐ A. The REALTOR® trademarks may only be used with the name of the principal of the firm.
- ☐ B. The REALTOR® trademarks may be used with the names of the firm, the principal, and all of the salespeople who hold membership. But the trademarks may not be used in connection with the names of the non-member salespeople.
- ☐ C. The REALTOR® trademarks may only be used with the name of the firm.
- ☐ D. The REALTOR® trademarks may not be used at all in the advertising of the firm.

**CORRECT ANSWER: B. The REALTOR® trademarks may be used with the names of the firm, the principal, and all of the salespeople who hold membership. But the trademarks may not be used in connection with the names of the non-member salespeople.** If the principals of the firm are NAR members, they can use the REALTOR® trademarks with their names and the name of their firm. Similarly, if a salesperson named in the ad is a member, he or she also may use the REALTOR® trademarks with his or her name. The REALTOR® trademarks may not, however, be used with or in connection with the names of the non-member salespeople appearing in the same ad.

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## Case Studies

### Interpretation of the Code of Ethics

Case #1-13: Obligation to Present Subsequent Offers After an Offer to Purchase Has Been Accepted by the Seller (Adopted November, 1987 as case #7-17. Transferred to Article 1 November, 1994)

REALTOR® A had a 90-day exclusive listing on Seller X's property. Seller X instructed REALTOR® A to list the property at \$150,000 based upon the sales price of a neighbor's house, which had sold a month earlier.

REALTOR® A aggressively marketed the property, filing the listing with the Board's MLS, running a series of advertisements in the local newspaper, holding several "Open Houses," and distributing flyers on the property at local supermarkets. REALTOR® A, whose listing contract was nearing expiration, held another "Open House" on the property, which resulted in an offer to purchase from Buyer Y at \$15,000 less than the listed price. REALTOR® A, convinced that this was the best offer Seller X was likely to obtain, persuaded Seller X to accept the offer. Seller X expressed dissatisfaction with REALTOR® A's failure to obtain a full price offer, but signed the purchase agreement nonetheless.

The next day, REALTOR® B, a cooperating broker, delivered to REALTOR® A a full price offer on Seller X's property from Buyer Z. Buyer Z had attended an earlier "Open House" and was very enthusiastic about the home's location, stating that it would be perfect for his mother.

REALTOR® A advised REALTOR® B and Buyer Z that an offer had already been accepted by Seller X and that he, REALTOR® A, would not present Buyer Z's offer. REALTOR® B and Buyer Z then promptly filed a complaint with the Board charging REALTOR® A with a violation of Article 1, as interpreted by Standard of Practice 1-7.

At the hearing, REALTOR® A stated that he felt he was under no obligation to present Buyer Z's offer, since the listing agreement did not specifically provide that subsequent offers would be presented to the seller. Further, REALTOR® A felt that such a practice could only lead to controversy between buyers and sellers, as well as result in breached contracts. "Why get everyone in an uproar," said REALTOR® A, "by presenting offers after one has been accepted? And what would I do if Seller X wanted to back out of the first purchase contract and accept Buyer Z's offer?"

The Hearing Panel found REALTOR® A in violation of Article 1. In their "Finding of Fact and Conclusions," the Hearing Panel cited REALTOR® A's lack of understanding of the requirements of Article 1, as interpreted by Standard of Practice 1-7. The panel noted that state law did not prohibit the presentation of offers after an offer had been accepted by the seller; that the fact that the listing contract was silent on whether subsequent offers would be presented did not relieve REALTOR® A from the obligation to present such offers; that as the agent of the seller, REALTOR® A must always act in the seller's best interest and advise the seller of all offers submitted; and that should the seller wish to consider accepting a subsequent offer, REALTOR® A must advise the seller to seek the advice of legal counsel.