

Fall CAR Business Meetings - Long Beach
Defense Strategy Advisory Committee.
Steve Delmartini

This committee deals with risk management.

Report from Jana - CAR Hotline Attorney

The number of calls to the hotline are slowing down a bit attributed to a reduction in COVID related calls and possibly a shift in the market. The following is a list of what she is still dealing with on an ongoing basis.:

Calls reflect more demand for the seller by the buyer. A shift from the previous months where sellers may not have been asked to make any concessions.

Questions about buyers' ability to cancel for basically "a bad feeling" about the market, interest rates etc...

Lots of inquiries about the Fire Hardening Defensible Space form. Still a confusing form to many agents/brokers and sellers on how to fill it out. There are a couple changes to the form for the December forms release.

Property management calls dealing with tenant deposits, evictions, notices to vacate, fair housing rules, the tenant protection act etc... Her advice is if you are not a practicing property manager then don't try to be one. STAY IN YOUR LANE. Don't become something that you are not.

Fred Tessler - CAR Panel Attorney

Don't practice "Realtor Law", for instance don't tell your buyer "don't worry you will get your deposit back". He is seeing more deposit disputes that are leading to litigation.

He also cautions on becoming a property manager. He is seeing termination of tenancy suits. You better know what you are doing out there.

He sees the courts are opening and court calendars are moving forward, Claims are on the rise and so are the payouts. It seems the courts are not that sympathetic to the Realtors.

He is also seeing deposit disputes. Buyer has cold feet and don't put their deposit in escrow.

General committee conversation was that the Department of Real Estate is watching licensees more closely now from the practice of real estate to licensee/team websites especially in the ADA aspect of licensee/broker websites. Lack of Broker supervision is a problem, and the DRE is taking note. The DRE is out to protect the consumer that is their basic job.

That's it folks.