

CAR Fall Business Meetings – Long Beach

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MLS Policy

No Action Items, but **BUYER BROKER AGREEMENTS ARE A MUST!**

NAR Update

MLS Statewide Data Sharing
-best practices recommended

Listing Access Work Group

-MLS Accuracy and access

IDX and VOW Work Group

-Merging policies of both?

Best Practices

-how to promote best practices.

Competition.realtor

Messages about the MLS

Listing attribution work group

-put in private remarks that its' ok for others to share your listing on social media
-non action item

Survey

-Mostly happy with MLS
-interfaces dated
-hard keeping up with changing rules

Legal Update

Clear Cooperation
-Tan vs SF Dismissed
-PLS vs CRMLS Dismissed but 9th circuit overturned DOJ filed a Statement of Interest.
-DOJ vs NAR-had a settlement, but they re-opened by the DOJ
-Compensation Cases–Sellers or Buyers
Moehrl vs NAR
Sitzer vs NAR
Leeder vs NAR
Northwest MLS vs CAR

New forms

RPA-G3 18-
BRBC Buyers Rep & Buyer Comp
ABCD Anticipated Broker Comp
BTA Buyer Transaction Ad
COBR Cancellation of Buyer rep
NBIP Notice of Broker Involved Property
SPBB Seller payment of Broker

www.nar.realtor/competition-in-real-estate

Branding in listings

11.5 prohibits “for sale” signs
Group said a resounding no.

YE review

- Coming Soon best practices
- Co ownership panel
- Changes in NAR Policy
- Listing Attribution
- MLS Executive Forms

Business Technology

Symbium-Leila

Member benefit

Using AI to build law into the application.

Gives access to public data via Complaw.

Go to Symbium, type in the address, and it will bring up the lot lines and setbacks, gives ADU designs, and estimated costs.

Also has a citizen government interactions

1. Information—lot characteristics
2. Regulatory Analysis
3. Transactions (permits, rebates, inspections)

hello@symbium.com

MyLikelyMovers

Powered by Revaluate

Not a member benefit.

-using AI to find out who is the most likely to be selling.

Artificial intelligence + Data Segmentation = potential sellers

Rates your database 0-100

Works with your CRM.

Pay to play.

eric@mynhd.com for a white paper on AI

Milestones

Member benefit–

Home Hub–A tool to keep agents connected to their customers.

- for consumers–makes it easier to manage home ownership
- for agents, help nurture long term relationships and generate repeat sales
- Home Maintenance reminders
- recommend service providers
- Store all home documentation virtually
- provide a financial asset snapshot of the home
- find new homes in the neighborhood

Risk Management

Zelms Erlich–attorney for REALTORS

- Volume leads to mistakes
 - Speed of transitions creates stress
 - disgruntled buyers
 - sellers expectations
 - new regulations
 - new era client expectations
 - competition
 - dual agency
 - statistics
- 1 in every 300 end up in a lawsuit

DRE Claims

Most problems come from unlicensed assistants and misrepresentations.

This is what sellers said and I DID NOT INVESTIGATE.

Fair Housing

Consumer Affairs

Board Complaints

Criminal prosecution

Civil lawsuits

Demand letters

–do not ignore

–tell your broker

–pushback letter

Regional reports

2-Fire insurance

Out of town agents not understanding local issues

Water

13-good properties still selling, others not.

Clear cooperation issues.

5-fire insurance

Agents leaving buyers in homes

Lack of supervision

Virtual staging issues

4-fire insurance

Interest rate in RPA cancelations

14-wire fraud

Buyers backing out

Correction of the market sharp

3-fire insurance

Point of sale for full electrification at point of sale

6-photos

Blank forms to clients

ADA websites

10-drout

Fire insurance

Coastal commission overreach and de-sal

Vacant home tax

12-giving buyers codes

Agents doing PM

16-multiple offers

Evictions by assistants

Bitcoin

11-water

Fire insurance

E & O going up

15-fire insurance

Ada website

Out of area agents

9-fire insurance

8-overstepping

Fair housing

18-60% of agents have not sold anything

10% of the agents holds 80% of the listings

7-fire

Squatters

Out of area agents

Water

17-media

Escrows falling

21-sb 326, 721

Tenants

Ada websites

23-ada compliance

31-fire insurance

Lack of inventory

Affordability

Homeless

Lack of broker management

Out of area agents

Water

24-cyber insurance

Buyers doing work before COE

Supply chain issues in new homes

New home contacts

Long term listings on title.

25-multiple offer no longer the norm

Sales down

Rental ordinances-rent control

29-homeoptions.com

19-dual agency

Advertising other brokers listings

All electric home

COPA

ADA non compliant sites

32-FHDS

ADA website

COP issues

28-increased rates

Out of area

Evictions

Media

22-agents misrepresenting on social media

30-disgruntled buyers

Fhds

27-fire

Joshua tree endangered species

Oversaturation of AirBnb's

Water

Gov Hutchenson

E&O—check policy to make sure the new coverage is as good as your old one. Rates are going up.

Open Houses–You can do them for other brokers as long as you disclose that you are not the listing broker.

Copyright issues-ADA website-call CAR as soon as you get one.

Home Options–is a 40 year listing even legal?

Virtual tour must have permission of listing agents.

Using addendum to negotiate.

Lots of bad bills did not get passed–mostly rental bills.

Summary of new laws on CAR.org

Covid 19 rental debt.-can get rent, not late fee.

Laws that got passed

- laws in effect when opening escrow

- two of the last 5 years to get the broker license

- implicit bias course approved

- reusable tenant screening report

- cap screening fee \$52.46

- tenant domestic violence landlord must let out of lease or face fine.

- in a domestic violence the landlord must evict the bad person

- HOA 25% cut off

- prop 19

- mobile home managers have to take a test

- lead paint certified-one person on site

- water use 55 gallon per day per person going to 42

- partition action-can order the property sold or appraisal of fair market price.

- housing laws–making it easier to build

- ADU

- REO 175 or more can't sell in bulk

- REO's can only take offers from owner occupants for 30 days

Always take the first qualified applicant to be safe from fair housing rules

California rent control laws under 15 years no limit, over 15 10%.

Fire Hardening-youtube video coming

- Only provide form if you are in a high or very high fire zone

- Cal fire zone or NHD report.

CAR Board Meeting

CONSENT AGENDA–Passed

Director for Life

Pismo Coast AOR

Bruce Bornino

Erny Pinckert

San Luis Obispo Coastal AOR

Patricia Garrison

Abbie V. Woodward

CREPAC Trustees

1. ACTION ITEM

That the following slate of Nominees for CREPAC Trustee and Non-Voting Alternate Trustee be elected.

APPROVED

Diversity

1. ACTION ITEM

That the following resolution be approved.

WHEREAS, in 1963, California's first fair housing law, the Rumford Fair Housing Act was signed into law by Governor Edmund Gerald Brown;

WHEREAS, the California Real Estate Association, now known as the California Association of REALTORS® (C.A.R.), authorized the expenditure of member funds for signature gathering to qualify Proposition 14 for the November 1964 California general election;

WHEREAS, Proposition 14 would overturn the Rumford Act and modify California's constitution so that the State could not prohibit private property owners from discrimination in selling, leasing or renting residential property, including on the basis of race, ethnicity, marital status, or gender;

WHEREAS, CREA actively campaigned for the passage of Proposition 14, actively encouraged California REALTORS® to support the initiative, and encouraged California REALTORS® to encourage their clients to vote "yes" on Proposition 14;

WHEREAS, Proposition 14 was approved by California voters in the Fall of 1964;

WHEREAS, The California and United States Supreme Courts found Proposition 14 to be unconstitutional and illegal;

WHEREAS, The support of fair and affordable housing for all citizens of California is now a C.A.R. objective;

WHEREAS, C.A.R.'s Board of Directors has never issued a formal apology for these past actions;

WHEREAS, C.A.R. has taken action and will continue working to assure that real estate professionals and property owners do not treat anyone differently because of their legally protected demographic characteristics. C.A.R. has: Sponsored a law requiring periodic implicit bias training for all real estate salespersons. Helped shape a new law that helps individuals who

feel like they may have experienced appraisal bias know their rights and requires additional appraiser training and record keeping for appraisals. Established a Fair Housing and Diversity Forum and Fair Housing Policy Committee that occur at every Board of Directors' meeting to ensure that our members and leadership are educated about and more empowered to take action on current fair housing challenges. Developed an advisory for REALTORS® and all parties to real estate transactions attached to the Residential Purchase Agreement and Residential Lease Agreement that provides information about fair housing law and how to get further information about or report suspected fair housing law violations.

WHEREAS, C.A.R. has taken action and will continue working to address the legacy of once legal housing discrimination. C.A.R.'s actions include: Offering a closing cost grant for members of underserved communities. Donating to the Black Wealth Builders Fund, a down payment assistance program for Black homebuyers in the Bay Area. Partnering with and sponsoring the work of nonprofit organizations that support greater homeownership for members of underserved communities. Sponsoring and supporting a variety of policies that address supply and affordability challenges that have a greater impact on communities of color. Co-sponsoring a bill that would overturn Article 34, a law that California REALTORS® helped pass in the 1950s that makes it much harder for California communities to build affordable housing. Supporting a law that provides a system for redacting restrictive covenants in property records.

WHEREAS, C.A.R. has in the years since the passage of the federal Fair Housing Act, the California Fair Employment and Housing Act and other fair housing laws, prioritized understanding and addressing any unique homeownership barriers impacting communities of color or other underserved communities, just as it works to address homeownership barriers and equal housing opportunity challenges impacting a variety of California communities. Therefore be it

RESOLVED, The California Association of REALTORS®' 2022 Board of Directors formally apologizes for the Association's role in helping to promote and pass Proposition 14 into law in the early 1960s as well as discriminatory policies and practices that the Association once supported. These actions were wrong and we will continue to work to address the legacy of these discriminatory policies and practices.

Note: see below for recommended amendments from the Executive Committee

WHEREAS, The support of fair and affordable housing for all is now a C.A.R. objective;

WHEREAS, C.A.R.'s Board of Directors hereby issues a formal apology for these past actions;
APPROVED

Executive

1. ACTION ITEM

That the Lodi Association of REALTORS® be reassigned, per their request, to C.A.R. Region 3 from C.A.R. Region 7, effective for the year 2023.

Homeownership Housing

1. ACTION ITEM

That C.A.R. “CO-SPONSOR” legislation to: a) allocate the funds generated by SB 2 (Atkins, Statutes of 2017) for homeownership opportunities (20% of the total) to fund the California Dream for All program, administered by CalHFA, and b) modify the existing small jurisdiction grant program intended for the construction of affordable housing, available to families making no more than 80% AMI, to a more effective larger competitive grant program reserved for small jurisdictions. Legislative Committee: Approved

APPROVED

2. ACTION ITEM

That C.A.R. “SPONSOR” legislation to require density bonus or inclusionary zoned units, constructed with an affordability covenant or restriction that is intended for owner-occupancy, to consider qualified buyers who will own and occupy the unit before considering investor purchase offers for those parcels. Legislative Committee: Approved

APPROVED

IMPAC Trustees

1. ACTION ITEM

That the following slate of Nominees for IMPAC Trustee and Non-Voting Alternate Trustee be elected. IMPAC Trustees serve a two-year term. Non-Voting Alternate Trustees may be selected to fill the remainder of a vacant term during the year.

APPROVED

Real Estate Business Services

1. ACTION ITEM

That the following slate of nominees for a two-year term on the REBS Board of Directors be approved, and the C.A.R. President be instructed to elect these individuals on behalf of C.A.R.
James Baiseri, KALEO Real Estate Company, Glendora
Phil Hawkins, Pacific West Association of REALTORS®, Anaheim
Pat Heller, Compass, Los Angeles
Brent Thomson, Compass, San Francisco

Note: The following REBS Directors have continuing terms

Cheryl Keller, Brick Lane Real Estate, Rocklin

Jared Martin, Jared Martin & Associates, Fresno

Lori Namazi, Namazi Real Estate Resources, Rancho Margarita

Mark Peterson, RE/MAX Masters Realty, La Verne

John Sebree, CALIFORNIA ASSOCIATION OF REALTORS®, Los Angeles
APPROVED

Strategic Planning and Finance

1. ACTION ITEM

To approve the C.A.R. Strategic Framework.

APPROVED

2. ACTION ITEM

To approve the 2023-2025 C.A.R. Strategic Plan.

APPROVED

3. ACTION ITEM

To approve the 2023 Operational Budget with the following criteria:

a. C.A.R. Revenue: \$50,279,100

C.A.R. Expenses: \$50,190,700

Net Income (After Investment Income): \$88,400

b. REALTOR® Action Assessment Program Allocation: \$5,369,000

*Estimated Direct Member Contributions to PACs: \$7,235,200

*Estimated Advocacy Local Fund (ALF) Allocation: \$1,527,600

Total REALTOR® Action Assessment: \$14,131,800

c. 151 budgeted C.A.R. staff positions.

d. Membership dues, including \$156 for C.A.R. operating programs, and \$69 for the REALTOR® Action Assessment are set at a total of \$225 per member (predicated on 2023 year end membership of 213,700)

e. New member fee set at \$100 per new member, \$30 of which is allocated to C.A.R. operating programs and \$70 of which is the new member's direct contribution to IMPAC. Estimated direct contributions to IMPAC from New Member Fee are \$1,626,200.

f. Late Renewal Fee set at \$50 per member.

g. A 2023 Capital Budget (funded with Association reserves) totaling \$1,751,800.

APPROVED

4. ACTION ITEM

To approve for members in areas not serviced by local associations an additional \$50 in membership dues. This amount would be in excess of the dues approved for members coming through the local associations.

APPROVED

5. ACTION ITEM

That \$450,000 be approved for an additional 3 percent retirement contribution to the C.A.R. and REBS employee retirement plan for 2022, augmenting the previously approved budget of 10 percent.

APPROVED

6. ACTION ITEM

That C.A.R. donate \$100,000 to the REALTOR® Relief Foundation.

APPROVED

7. ACTION ITEM

That the C.A.R. Housing Affordability Fund allocate \$250,000 out of the previously approved \$1 million for the Restricted Grant Partners: NPHS Inc. and NPHS Community Land Trust, Richmond Neighborhood Housing Services Inc (RNHS), and Neighborhood Housing Services of Los Angeles County (NHSLAC) in order to continue to administer C.A.R. Closing Cost Assistance grants in 2022-2023, subject to their application and agreement to program terms.

APPROVED

Sustainability and Climate Change Task Force

1. ACTION ITEM

That C.A.R. “SPONSOR” legislation to mandate a disclosure of information related to wildfires, climate change and sea level rise by expanding the state’s Residential Environmental Hazard Booklet. Transaction and Regulatory Committee: Approved Legislative Committee: Approved

APPROVED