

## **CAR Sac 2022**

### **Pro Standards**

John Hughes—Grievance work group—

-proposals, questions and refinements of ideas to define and frame complaints.

Procuring Cause as per Buyer Broker

Customer vs Client

Buyer-Client agreement.

Other states require them to be signed without having them signed.

[buyerbrokerfeedback@car.org](mailto:buyerbrokerfeedback@car.org)

### **MLS**

MLS Legal update

Mandatory Unilateral offer of Cooperation

Transparency of buyer agent compensation

Negotiation of commissions rules

Clear cooperation policy

Separate display of MLS vs other listings

Tan vs SFAR and NAR

PLS v CRMLS, NAR and others

Rex vs zillow, NAR

Buyer Broker task force recommendations.

[buyerbrokerfeedback@car.org](mailto:buyerbrokerfeedback@car.org)

MLS Model Rules

No action, just cleaning up to match NAR

### **Business Technology**

New Member Benefits

#### **RENTAL BEAST**

<https://rentalbeast.com/about>

This is a rental database that is free for CAR Members

Rental MLS

Lead-to-lease-to-buy.

Builds relationships with tenants to turn them into buyers

Database of Rental properties

CAR and NAR are investors in the company

60% of California metros are renters

65% of renters are Millennials

Qualifying the tenant to see if they have the potential of a buyer.

Rental commission market is more than \$12 BILLION annually.

34% of the renters actually turn into buyers.  
81% of renters are planning on moving in 2022  
42% are planning to buy.  
88% of renters said they would re-use or refer their agent.  
1 in 5 buyers are investors.  
Free to list  
Easy to list  
Open platform  
Risk free

### **Hemlane**

<https://www.hemlane.com/>

Property Management for REALTORS  
hemlane.com./car

### **Milestones**

<https://milestones.ai/real-estate-hubs/>

Strengthening relationships with homeowners.  
One home transaction every 10 years, so you need to manage your clients  
Deliver services at every part of the transaction.  
Homeowner hubs  
Database of owners  
Content-  
Vendors  
Home values  
You get a web page with the program  
Playing the long game,

### **Fortress wildfire insurance group**

InsureTech  
Bringing data that the insurance companies get to REALTORS

### **Risk Management**

Gov Hutchenson  
[govh@car.org](mailto:govh@car.org)

Fire Hardening—forms are working on new forms.  
If there is a city ordinance that requires a point of sale defensible space inspection—but the only one is Truckee.  
99% of the time you don't check any boxes—it goes to box one—putting the responsibility on the buyer.

CAR is working on changing the NHD to make it clear.

Always do an AVID

Mold forms must be given the "information for moisture and mold" in the CAR library.

Last page of the purchase contract—email address—if you put it in, you don't have to open an email to have it, if you don't put the email address there, you have to respond to the email.

New Law—extension of eviction moratorium. Should have expired March 31, now extended to June 30. Call the hotline before you give a 3 day notice, the new forms have changed.

The California Rental Board is no longer taking applications for Rental Assistance.

Local ordinances LA/SF county—can pass just cause eviction laws—but they can't stop you from evicting for non-payment of rent.

Max rent increase 5% + inflation rent up to 10% max.

You can go to small claims for going after COVID rent for more than \$10,000.

SB9—AB1584—ADR's takes the teeth out of under 800 sq ft even in HOA's

Open Houses—DRE says it's not legal to sit someone else's open house. Don't sit another broker's open house.

Buyer love letters—CAR says to be cautious, don't include personal status.

Dual Agency—DRE says they aggressively investigate dual agency cases.

Advertising—the Broker is responsible for ALL AGENT's advertising including social media.

Fair Housing-July 1st

—the Affair Appraisal Act will be attached to the RPA.

—if you are aware of the deed restriction that is inflammatory it needs to be corrected.

Don't use any words that may indicate a preference for or against anyone. Walking and view are OK now.

Section 8—every landlord must take section 8 —take the first applicant that meets your objective criteria.

**Website Accessibility:**What you need to know.

1. The ADA and Correlating State Laws

Title III requires "public accommodations" to provide full and equal access to goods, services, privileges and facilities.(including websites)

2. Visual Accessibility on Websites

Use of screen reader software to highlight text and alternative text for images.

Use of voice recognition.

If you have pictures, you need alternative texts describing the photo.

3. Communicative Accessibility on Websites

Test with automated sites.

4. Reservation Systems Accessibility on Websites

5. Emerging trends

<https://beta.ada.gov/web-guidance>

## **BOD Spring 2022 Sacramento**

Sacramento lawmakers put home ownership at the top of their agenda, approving millions of down payment assistance for first time buyers. More details will follow.

### **CONSENT AGENDA Executive**

- 1. ACTION ITEM** That the following Presidential appointments be approved: Directors at Large Elizabeth Campbell-Chase Brett Waite Strategic Planning and Finance **PASSED**
- 2. ACTION ITEM** That the Statement of Income and Expenses by program for the two months ending February 28, 2022 be approved. **PASSED**
- 3. ACTION ITEM** That the Projected Statement of Income and Expenses by program for the year ending December 31, 2022 be approved. **PASSED**
- 4. ACTION ITEM** That the audited Statement of Income and Expenses by program for the year ending December 31, 2021 be approved. **PASSED**

### **REALTOR® Party of California**

- 1. ACTION ITEM** That the C.A.R. Bylaws Articles IV Section 3.1, 4.1, Article V, Sections 2.4, 3.1, 3.2, 4.1, 5 and 5.2 relating to changes in the Delegate Process, timing of the Annual Delegate meeting, process for Delegates to approve “for-life” directors including Past Presidents, and adding an additional five (5) directors-at-large, be approved as noticed.**PASSED**
- 2. ACTION ITEM** That all C.A.R. Directors-for-Life and Past Presidents of C.A.R. be approved as directors of C.A.R. **PASSED**

### **Executive**

- 1. ACTION ITEM** That the C.A.R. Bylaws Articles II, Sections 11.3 and 11.6 relating to the policy to discipline Individual members for inappropriate conduct as set forth in the Harassment Policy be approved as noticed. **PASSED**
- 2. ACTION ITEM** That the C.A.R. Bylaws Articles IV Section 3.1, 4.1, Article V, Sections 2.4, 3.1, 3.2, 4.1, 5 and 5.2 relating to changes in the Delegate Process, timing of the Annual Delegate meeting, process for Delegates to approve “for-life” directors including Past Presidents, and adding an additional five (5) directors-at-large, be approved as noticed.**PASSED**
- 3. ACTION ITEM** That the remaining C.A.R. Bylaws be amended per the notice which includes updating terminology, removing references to “him” and “her” and “Chairmen” as well as other clean up (“CalDRE to DRE, for example) be approved as noticed and updated to include the few instances that still used “Chairmen” or “Chairman” instead of “Chair”.**PASSED**

### **Home Ownership Housing**

- 1. ACTION ITEM** That C.A.R. “SUPPORT” AB 2430 (Grayson), which expands state law mandating ministerial approval of ADUs to include a detached tiny home unit, constructed offsite with a conventional structure, and building materials (max. 400 sq. ft.). Legislative Committee: Approved **PASSED**

**2. ACTION ITEM** That C.A.R. “OPPOSE” AB 2386 (Bloom), which seeks to permit local agencies to create a patchwork of regulations to regulate the conversion of multi-family units to tenancy in common (TIC) developments. Legislative Committee: Approved **PASSED**

**3. ACTION ITEM** That C.A.R. “SUPPORT” AB 1967 (Daly), which seeks to permit local agencies to require a use permit for supportive and transitional housing, hosting seven or more persons, and permits local government to regulate how close transitional or supportive housing and a residential care facility or sober living home may be located to each other within an R1 residential community. Legislative Committee: Approved **PASSED**

**4. ACTION ITEM** That C.A.R. “OPPOSE” AB 2619 (Patterson), which seeks to remove the six-person limitation in current law that limits the commercialization of residential neighborhoods for residential care facilities. Legislative Committee: Approved **PASSED**

**5. ACTION ITEM** That C.A.R. “OPPOSE UNLESS AMENDED” ACA 14 (Wicks) to: a) prohibit the conversion of single family 1- 4 parcels to deed restricted rental housing ownership; b) require 25% of the monies generated by the HOPE Act to be dedicated to downpayment assistance programs; and c) include C.A.R. as a prescribed stakeholder which can provide input into how the Business, Consumer Services, and Housing Agency spends HOPE Act funds. Legislative Committee: Approved Note: ACA 14 (Wicks), the Housing Opportunities for Everyone (HOPE) Act, would create an account in the General Fund, beginning in the 2024–25 fiscal year, and each fiscal year thereafter until September 30, 2033, to transfer 5% of the General Fund to fund homelessness programs and affordable housing development if approved by the voters in November 2022. **PASSED**

**6. ACTION ITEM** That C.A.R. “SUPPORT IF AMENDED” SB 1457 (Hertzberg) if it requires: a) the use of a REALTOR® in connection with home sales accessing this program; b) that adaptive reuse projects reserve 50% of each project funded for homeownership housing; and c) require a minimum 2/3 vote of the legislature to change the provisions established by the measure or take another position. Legislative Committee: Approved Note: SB 1457 (Hertzberg) would enact the California Family Home Construction and Homeownership Bond Act of 2022 and, if approved by voters, authorize the issuance of \$25 billion in state general obligation bonds to finance the California Family Home Construction and Homeownership Program (\$18 billion to eligible applicants for downpayment assistance or closing costs on the purchase of a newly constructed home and \$7 billion for adaptive reuse projects). **PASSED**

## **Investment Housing**

**1. ACTION ITEM** That C.A.R. “SUPPORT IF AMENDED” AB 2817 (Reyes), which establishes the House California Challenge Program (Program) under the California Health and Human Services Agency to help persons who are experiencing homelessness obtain housing and, upon appropriation by the Legislature, allocates \$5 billion in funding to the Program over a 5-year period. Eligible uses for these funds include rental assistance and master leasing of units, as well as prevention, self-resolution, and diversion services. C.A.R. will support AB 2817 if it is amended to ensure that at least 50% of these funds (i.e., \$2.5 billion) are directed to rental assistance and master leasing of units. Legislative Committee: Approved **PASSED**

**2. ACTION ITEM** That C.A.R., in conjunction with NAR, “OPPOSE” the permanent enactment of the provision contained in the federal Coronavirus Aid, Relief, and Economic Security Act (also

known as the CARES Act) that requires a 30-day notice to vacate when demanding rent.**PASSED**

### **Local Government Policy**

**1. ACTION ITEM** That C.A.R. “OPPOSE UNLESS AMENDED” SB 1105 (Hueso), a bill which seeks to establish the San Diego Regional Equitable and Environmentally Friendly Housing Agency, with amendments that would accomplish the following: a) remove the Agency’s ability to impose or recommend ANY taxes on real property or real estate related business services; b) require bond issuance or imposition of taxes to be approved by 2/3 the voters; c) prohibit funds which are generated by the Authority from being used to acquire market rate housing; d) require 30% of all funds generated by the Authority to be used for downpayment assistance (10-20%) and the production of ownership housing units; e) eliminate the agency’s authority to impose, recommend, fund or influence rent control, price controls or rental eviction policies; f) prevent any expansion of the agency’s authority without a 2/3 vote of approval from voters of each city in the County and in the unincorporated county lands; and, g) Require the Authority to include at least one representative from each affected city, county or unincorporated area. Legislative Committee: Approved **PASSED**

### **Nominating**

**1. ACTION ITEM** That the following be designated to serve as State Allocated NAR Directors for a two year term ending November 2024 and as Alternates for the 2023 elective year. Melanie Barker, Region 12 Barbara Betts, Region 23 Don Faught, Region 6 Glenn Hellyer, Region 23 Paula Johnsen, Region 7 James Liptak, Region 31 Jared Martin, Region 12 Jeanne Radsick, Region 12 Tamara Suminski, Region 17 Suzanne Yost, Region 9 Alternates in Priority Order Michael G. Verdone, Region 25 Patricia "Tica" M O'Neill, Region 17 Edward Barrios, Region 21 Robert Bailey, Region 10 Michael Stoffel, Region 14 James Britto, Region 5 Sue (Susan) Walsh, Region 25 Mike Vachani, Region 13 Winnie Davis, Region 18 Christine Kutzkey, Region 2 Tom Berge Jr., Region 16 Marilyn Cunningham, Region 5 **PASSED**

**2. ACTION ITEM** That the following individuals be nominated as Directors For Life: Darnella Aulani, Region 5 Jim Keith, Region 11 Phil Schaefer, Region 23 **PASSED**

**3. ACTION ITEM** That John M. Sebree be nominated as Chief Executive Officer/State Secretary for the year 2023. **PASSED**

**5. ACTION ITEM** That Melanie Barker be nominated as President-Elect for the year 2023. **PASSED**

### **Strategic Planning and Finance**

**1. ACTION ITEM** That C.A.R. donate \$200,000 to the National Association of REALTORS® - REALTOR® Relief Fund. **PASSED**

**2. ACTION ITEM** That C.A.R. sunset the Land Use and Environmental Committee and establish a new Environmental Sustainability Committee. One of the current Issues Chair positions would be moved to the Transaction and Regulatory Committee as outlined below: **PROPOSED**  
**ENVIRONMENTAL SUSTAINABILITY COMMITTEE MISSION STATEMENT** Its mission is to develop C.A.R.'s land use and environmental resilience and sustainability policy agenda. It has

original jurisdiction to evaluate legislation and regulation in the following issue areas as they relate to real estate: Environmental, Climate Change and Natural Hazards, Resource Management, and Subdivision and Development. Each issue area is managed during the Committee's meeting by an Issues Chair, under the direction of a committee Chair and committee Vice-Chair. The Committee reports to the Legislative or Federal level of government committee(s), as appropriate, and to the Executive Committee and the Board of Directors. Suggested relocation of one Issues Chair: Move Property Rights Issues Chair to Transaction and Regulatory. This Issues Chair generally is charged with covering transactional issues which pertain to property rights, title and interest. **PASSED**

### **Sustainability and Climate Change Task Force**

**1. ACTION ITEM** That C.A.R. define “sustainability” as a balanced approach to meeting current housing needs while pursuing policies and practices that will ensure the ability of future generations to meet their own housing and community needs with limited impacts on the environment. **PASSED**

**2. ACTION ITEM** That C.A.R. define “resilience” as the capacity to endure, adapt and plan for current and future housing related disruptions. **PASSED**

**3. ACTION ITEM** That C.A.R. “SUPPORT” AB 2705 (Quirk Silva) which seeks to require developers constructing development of 10 units or more, located within a very high fire hazard severity zone (VHFHSZ), to meet increased fire safety requirements to address wildfire risks (e.g., building siting, setbacks and buffer zones, mandatory HOA for defensible space management, resident education, and fire drills, etc.). Note: AB 2705 is sponsored by the California Building Industry Association and affects large scale builders who seek to continue developing responsibly in wildfire areas with the intent to build to the highest safety standards to mitigate risk. **PASSED**

**4. ACTION ITEM** That C.A.R. “WATCH” AB 2889 (Wicks), which seeks to require electrical corporations with more than 50% of its service territory, located in a high fire-threat district to additionally include in its 2023 wildfire mitigation plan, a multiyear undergrounding plan, covering at least 7 years and not more than 10 years. **PASSED**

**5. ACTION ITEM** That C.A.R. “FAVOR” SB 1078 (Allen), which seeks to create the Sea Level Rise Revolving Loan Pilot Program for purposes of providing low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions that have been identified as vulnerable coastal property. Note: SB 1078 specifies that the local jurisdiction “shall not use eminent domain to acquire vulnerable coastal properties included in this program”. The bill is an unfunded program which may ONLY be funded using the state’s annual budgeting process. **PASSED**

**6. ACTION ITEM** That C.A.R. “OPPOSE UNLESS AMENDED” AB 1445 (Levine) to identify, but not constrain, development planning within the regional planning process for impacts caused by climate change, including emergency evacuation route capacity, wildfire risk, and sea level rise. Note: AB 1445 (Levine) requires, beginning in 2025, that the methodology used by a council of governments (COG), their delegate subregions, or the Department of Housing and Community Development (HCD) for allocating regional housing needs must factor in the impacts caused by climate change, including emergency evacuation route capacity, wildfire risk, and sea level rise. The general plan process already must account and plan for climate change, including

emergency evacuation route capacity, wildfire risk, and sea level rise. While, the goal of the bill is laudable, the marriage between the general planning process and the regional housing needs planning process needs to be aligned but not create a “no growth” planning policies which restricts the opportunities for development, while taking into consideration public safety.

**PASSED**

**7. ACTION ITEM** That C.A.R. “SUPPORT IF AMENDED” SB 1217 (Allen) to include C.A.R. among the list of members from the public participating in the State-Regional Collaborative for Climate, Equity and Resilience, which seeks to recommend new guidelines for sustainable communities’ strategies to the Air Resources Board for adoption by December 21, 2025.. Note: SB 1217 seeks to establish a state-regional collaborative to recommend new guidelines for sustainable communities’ strategies to the Air Resources Board for adoption by December 21, 2025. The collaborative will consist of one representative from the Air Resources Board, Transportation Agency, Department of Housing and Community Development, Strategic Growth Council and include an additional 10 members from the public that represent the: Metropolitan planning organizations, League of California Cities, California State Association of Counties, local transportation agencies, environmental organizations, social equity organizations and the housing development organizations, including affordable housing organizations. **PASSED**

**8. ACTION ITEM** That C.A.R. “SUPPORT” AB 2492 (Grayson), which prohibits a city or county from conducting any inspection of the interior of the units in a qualified factory-built housing development for compliance if the qualified factory-built housing bears the insignia of approval issued by the DHCD and requires a city or county to provide a developer of a qualified factory-built housing project a density bonus. **PASSED**

**Transaction and Regulatory**

**1. ACTION ITEM** That C.A.R. “OPPOSE” AB 2258 (Wood), which allows any locality to expand their Property Assessed Clean Energy (PACE) program for wildfire safety improvements, without appropriate safeguards. Legislative Committee: Approved **PASSED**

**2. ACTION ITEM** That C.A.R. “SUPPORT” AB 2450 (Valladares), which authorizes an insurer to offer a wildfire specific deductible for homeowner’s insurance policies. Legislative Committee: Approved **PASSED**

**3. ACTION ITEM** That C.A.R. “SUPPORT” SB 1444 (Allen), which seeks to extend the FAIR plan to condominium owners. Legislative Committee: Approved **PASSED**

**4. ACTION ITEM** That C.A.R. “OPPOSE” AB 1993 (Wicks), which seeks to mandate vaccinations for independent contractors and employees. Legislative Committee: Approved CALIFORNIA ASSOCIATION OF REALTORS® BOARD OF DIRECTORS DRAFT MOTIONS Page 14 Revised: April 28, 2022 at 10:30 a.m. **PASSED**

**5. ACTION ITEM** That C.A.R. “OPPOSE UNLESS AMENDED” AB 2745 (Irwin) to require 2 years of general real estate experience to have taken place within the 5-year period immediately prior to the date of the application for the broker’s license, regardless of education. Legislative Committee: Approved Note: Existing law requires two years of experience to apply for a broker’s license but authorizes the Department of Real Estate Commissioner to substitute a 4-year degree, with a major or minor in real estate for the real estate experience requirement. AB 2745 would: a) require the 2 years of general real estate experience to take place within the 5-years,



immediately prior a broker license application; and b) permits a master's in real estate to substitute for an individual's real estate experience. **PASSED**

**6. ACTION ITEM** That C.A.R. "SUPPORT" SB 1084 (Hurtado), which seeks to prohibit the ownership of agricultural land by foreign governments beginning 2023. Legislative Committee: Approved **PASSED**

**7. ACTION ITEM** That C.A.R. "OPPOSE" AB 2224 (McCarty), which requires ibuyer companies to "work" with local real estate agents when selling property in California but contains no framework for how that would be accomplished. Legislative Committee: Approved **PASSED**

**8. ACTION ITEM** That C.A.R., in conjunction with NAR, "SUPPORT" Special Purpose Credit Programs by private entities that provide homeownership opportunities to communities that have historically been discriminated against. Federal Committee: Approved **PASSED**