



Property Lines



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Property Lines is the newsletter of
Central Valley Association of REALTORS®
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President's Message **T I M E 2 S U C C E E D** by Chuck Bukhari

"Our past is the platform to excel into the future!"



Hello and Happy Summer to CVAR!!!

I hope everyone is doing well and having a great summer! As your President, I wanted to update our 1400+ members on what we have been doing. The Board along with the Budget & Finance Com-

mittee have been working hard on the direction of CVAR and now want to work even harder at letting everyone know what is going on. With that in mind we have hired Byron Bogaard in a limited capacity to help with logistics and communicating vital information to the membership. Some of you might remember Byron when he was the communication director for CVAR back in 2002-04. We are excited to have him back working with our Association and more importantly working with the local councils to get the information out to all of you.

In the short term, the Board is looking to build our local councils back

up. When CVAR was formed the purpose was to let the local councils run the marketing meeting and decide on what events and fundraising activities they wanted to do. The local councils have always done a great job and we need to get back to supporting them and the needs of the local community. We as REALTORS®, give back, whether that be CanTree, a golf Tournament fundraiser for Scholarships or a council picnic, and CVAR, from a leadership standpoint, wants to support these efforts. In turn, we need to keep our eyes and ears open to what is happening with any legislative issues that may impact our
Continued on page 2

Local Legislative News

Stockton City Council Considering Point of Sale Energy Audit

Central Valley Association is actively working to protect your business. Recently, CVAR was made aware of recommendations being made by the "Climate Action

Planning Committee" to have an energy audit performed when an existing home is sold. The cost for the audit could be as high as \$500.00 at the point of sale. The Board of Directors recently hired a legislative advocate to help educate the policy makers on how this will impact

the housing market and local community. Stay tuned for more information as it becomes available or if we need your help. In addition, if you hear legislative news in your area, please let us know ASAP so we can be proactive! Thank you!

President's Message

T I M E 2 S U C C E E D

business. In the beginning of June, your C.A.R directors attended the California Association of REALTORS® meetings in Sacramento to learn more about what is going on in this area. I could go on and on about this, but the point they tried to convey to us is that every governmental agency is looking for funds, but they have no way of policing things. That is why when they try and pass new regulations regarding a home or commercial building they are looking at the point of sale as the ideal time for enforcement. Whether you agree or not with the issue, the idea that they are going to add another hurdle (and COST) to complicate the transaction does not bode well for you or our commu-

nities with real estate being so depressed already. We, as a group, need to make sure that nothing passes by us so if you hear ANYTHING, please inform Rachel or Debra at CVAR. In turn, please be responsive to any alert or call to action if we need help in educating elected officials about how an issue will impact the business and in turn our local economy. CVAR, CAR and NAR is made up of you, the membership. CVAR is not a board of people or one local council, it's all of us as a collective and it is only us that will protect our rights to do business.

Lastly, I want to congratulate all of our Masters Club members! This group is absolutely amazing and we

salute you! The pictures in the local paper were great and we wish you continued success. We want to invite everyone to join us for our Annual luncheon, recognizing our 2009 Masters Club achievers and REALTOR® and Affiliate of the Year for each local council. Thank you to Marcie at Property ID for being our Event Sponsor and Eric with Cutco Closing gifts for the raffle prizes! We look forward to seeing you there!

Update on Marian Norris

I am please to inform you that REALTOR® and past President of CVAR, Marian Norris has been released from the hospital after suffering a brain aneurysm. We all wish her a fast recovery!

CVAR Upcoming Educational Opportunities

CVAR Annual Membership Meeting & Luncheon

Recognition of 2009 Masters Club Achievers along with REALTOR® & Affiliate of the Year Awards

Featuring Alan Ray, Professor of Communication & Renowned Humorist

July 14, 2010

11:30am \$35.00 per

Call CVAR or go to www.cvar.org and click on the calendar to get more information. Space is already filling up fast, so don't delay, sign up today! **Raffle prizes by Eric Cheshier with Cutco Closing Gifts and Sponsorship by Marcie Elliott with Property ID**

CVAR is offering the all new E-PRO class for FREE

Date: Wednesday, July 14, 2010 from 9AM to 10:30 AM

Location: CVAR 16980 S. Harlan Road, Lathrop,

Space is limited

Floyd Arnold is a proven professional with more than 25 years of experience as an entrepreneur and educator. Floyd, a REALTOR®, is a certified trainer for WINForms® and RELAY®. He will give you a number of technology tips you can put to use in your business right away to help differentiate you from your competition. Call CVAR or go to www.cvar.org and click on the calendar to get more information.

CVAR is offering Certified Distressed Property Expert (CDPE)

Date: July 12 & 13, 2010 from 9AM to 5:30 PM

Location: Modesto Clarion Hotel & Conference Center

Call CVAR or go to www.cvar.org and click on the calendar to get more information and the \$150.00 discount provided to our members



The CDPE Designation is the most effective educational solution we have seen to address this market."

Dave Liniger

Chairman & Co-Founder RE/MAX International

Happenings

Oakdale Council

By Allison Carroll

Annual Oakdale Council Scholarship Picnic is coming up August 5 at Kerr Park from 4-8pm. Tickets are only \$10 for adults, \$5 for children for this amazing feast of smoked turkey, New York strip, salad, beans, & bread along with wine and beer. We will have activities for kids including a bounce house, games, and other prizes. We will also be holding a silent auction and raffle with all proceeds benefiting the Oakdale Council Education fund which awards scholarships to local high school students and other educational causes in our community. Call Karen Serpa at 605-2010 or Stacy Malone at 988-5151 for tickets

Stockton Council

By Imran Poladi

I was honored to represent CVAR at the California Department of R.E. Financial Literacy event in Stockton on June 19th. This event was for the public to understand more about real estate and what the process is all about. CVAR was there to promote and educate the public about the REALTOR® brand and what it means to them. Commissioner Davi was also present and was kind enough to grant me an interview which can

be seen on YouTube key phrase, "Imran and the Commissioner". The fact that you are not just a real estate agent, but a REALTOR® is something that is constantly promoted on a local, State and National level. Make sure you incorporate this into your brand!

Stockton Council is also holding our Annual Picnic in the Park on July 22. Bring your family and for only \$2.00 enjoy BBQ, volleyball, swimming and fun at the water park in Lincoln Village West. Don't forget to join us on the First and Third Wednesday of the month at 8:30 a.m at Pacific Bowl.

Manteca Council

The Manteca Council meets every Tuesday at 8:45am in the

Del Webb's Active Adult Community of "Woodbridge" in the Sales Pavilion – 1451 Americana Street, Manteca. Last week we had the CAR directors there to inform the membership about what was going on in Sacramento and how that impacts our business locally. Come by and we promise a great meeting.

Watch for details on the Manteca Golf Tournament Coming up on September 15. It will be a shotgun start at 11:30. Contact CVAR for more information

Tracy Council

We meet at St Pauls Lutheran Church, 8:30 on Thursdays. We look forward to seeing everyone there!

We are also looking for a couple of folks that can help out with some events we have planned including the city wide walk-a-thon. All money raised will go to charity.

Turlock Council

Come join us at I-HOP on Wednesday, 8:30 a.m for a great marketing meeting!

West Side Council

We meet the second and Fourth Tuesday of the Month at 9:00 am. at Mil's Bar & Grill. Join US!



Imran & R.E. Commissioner Mr. Davi at Mil's Bar & Grill. Join US!

North Central Valley Women's Council of REALTORS® Update by Marcie Elliott

We are so excited to announce the Chartering of the North Central Valley Chapter - Women's Council of REALTORS® (WCR)

In today's changing marketplace, with demanding customers and tough competition...you can't do it alone. When you join Women's Council, you tap into powerful programs that yield tangible results for

you and your business. As well as networking and referral opportunities at the national, state and local levels. Today, WCR is the twelfth largest U.S. women's professional organization and has one of the most successful communication networks in the NAR family. The Mission of the WCR is a network of successful REALTORS® empowering women to exercise their poten-

tial as entrepreneurs and industry leaders. Through our influence as successful business professionals, women will effect positive change in the profession and in the broader community. For more information about the soon to be chartered chapter "North Central Valley" Women's Council, stay tuned or if you would like to get involved please feel free to contact me at (209) 242-3500

CAR DIRECTOR REPORT By Christine Lynch & Patrick Wallace

We hope that everyone had a Happy 4th of July and is enjoying the wonderful summer time. We as C.A.R. directors worked very hard last month to make sure we covered all of the C.A.R. Director's meetings. We brought this information to the local councils in order to make everyone aware of what is going on.

Today, we thought it would be helpful to recap some of this information and if it was important or applicable to your business, point you in the right direction to get more. Always feel free to call any one of us and we will do our best to try and explain it.

Brokers. 'Benefit of the Doubt'. Pilot Program

The Department of Real Estate has developed the "Benefit of the Doubt" pilot program for Brokers to report Agents who were previously reluctant to report violations committed by his/her employees (by definition includes independent contractors), because they (the broker) were automatically named as suspects (or, as DRE defines parties being investigated: respondents). In this program, they are asking Brokers to "report" anyone they have let go in the last two years for cause." Most Brokers (according to DRE) were looking the other way and violators became job hoppers. The misconduct continued and the industry was and is burdened with errant agents. So this program has been put in place so the Broker can report the salesperson's misconduct to Law Enforcement Coordinator (LEC) who will review and refer the case to the regional office. The investigator will examine prior and current employers to determine if similar behavior occurred or continued (2 years back and 1 year forward). They will analyze the evidence and facts gathered during the primary complaint and determine whether the reporting employer was complicit or negligent. They will also evaluate prior employer's guilty knowledge. They stressed to us and on the DRE web site that the reporting broker will not be automatically named as a respondent unless authorized by the LEC. They

also mentioned that before a broker hires an agent, using a hiring application and asking for some information can help protect you in the future. For more information go to www.dre.ca.gov

Coming Soon Signs

Coming Soon signs are permissible as long as the agent is not showing the house or has it online. This has become a huge issue not only here in the Valley but also around the state. Real estate licensees have legal, MLS and ethical obligations to be truthful when advertising property or services. Legally, licensees may be held liable for fraud, intentional or negligent misrepresentation if they make material false statements or material omissions in any medium of advertising. (Cal. Bus. & Prof. Code § 17500.) In addition, licensees may face discipline from the DRE. (Cal. Bus. & Prof. Code § 10177 (c).) Similarly, REALTORS® have an ethical duty under the NAR Code of Ethics to avoid false advertising. For example, Article 12 states, "REALTORS® shall be careful at all times to present a true picture in their advertising and representations to the public.

MLS rules committee also discussed this and they gave

the example of Model MLS Rule 12.10. This Prohibits misleading advertising and requires participants and subscribers to present a true picture in their advertising and representations to the public. Model MLS Rule 16.6 provides that only the "For Sale" sign of the "listing broker" be placed on the property. Accordingly, a Participant who has posted a "For Sale" sign without having a signed written listing agreement in place conveys the picture that the agent placing the sign has actually secured the listing, and since that is not the case, the representation violates the MLS Rules by being misleading, inaccurate and inconsistent with the MLS's "For Sale" sign requirement. If, however, the same Participant's sign were to convey a different message such as "Coming Soon," it would be permissible as long as a seller gave permission to the agent to place such a sign and as long as the overall representation wasn't misleading. Whatever the message conveyed on the sign, the test will be whether it presents a true picture or whether it is false or misleading.

The real issue with this is the detrimental impact it has on professionalism and the cooperation we try and facilitate and encourage here in the Valley. According to other AORs, this activity has been a source of contention between their members for several reasons. By pre-marketing the property as "Coming Soon", brokers and agents are able to circumvent the cooperation that the MLS provides to its participants and subscribers. Some believe pre-marketing activity not only erodes the value of the service provided by the MLS, but also the spirit of cooperation between real estate professionals. This practice may reduce the quality and quantity of information available to the general marketplace by reducing listing exposure to potential purchasers and enable unscrupulous agents to act outside of the jurisdiction of the MLS rules. Some potential cooperating agents complain that their calls to the pre-listing agent are not returned and their client's offer is not presented, yet suddenly the just-submitted listing will show up as "sold" in the MLS. For those of us that have been in the business for a long period of time, we understand how important it is to have that cooperation because ultimately we will all need each other to do what is best for clients.

See next page CAR Update



CAR Update Cont.

IDX Rules

Not to get too much into the weeds of these complex rules, but two things. If a Participant has blanketly prohibited display of her listings, can the MLS require her to certify that she has explained the benefits of display by other Participants and Subscribers and the seller had nonetheless refused to allow such display? And the answer is No. If a Participant elects not to take advantage of IDX display, then he cannot be required to explain its advantages to his clients. The type of discretionary rule referenced in the above answer would apply only to Participants who have opted into the program for those listings for which display is not authorized. The second thing is if the client opts out of Internet Marketing this applies to the agent and the company as well. A lot of people were surprised to hear that, so educate your clients on what that means if they want to "opt out"

Article 10

This has been amended to state that we must provide equal professional services regardless of sexual orientation of the client. This goes into effect January 2011. We could go on and on about this stuff and many other issues that were covered. But if you have any further questions, please don't hesitate to ask or contact CVAR and we will get you the appropriate answer. If you are interested in being involved in some of these leadership tasks in the future please contact CVAR or Imran Poladi, your President-Elect at 209-952-8197

Modesto Council Happenings

"Bringing Them Home"

*Sponsored by:
Central Valley
Association of
REALTORS®
(Non-profit Tax ID#
94-3400819)*



*Presented by:
Fred Miller,
Coldwell Banker*

*Benefiting
Community
Housing &
Shelter
Services*

Donation \$25.00

Checks are to be made
payable to: CVAR Charitable
Foundation



REALTORS® Present....

A Musical Review

"Bringing Them Home"

**Saturday, September 11th
8:00 p.m.**

Pre-Event hors d'oeuvres and wine to be served 7:00
State Theatre • 1307 "J" Street

Name: _____

Company _____ Phone: _____

Additional Guests: _____

Method of Payment: Check Visa MasterCard Discover Amex
Credit card information is shredded after being processed

Credit Card #: _____ Exp. Date: _____

Fax your reservations to (209) 858-1709

**CENTRAL VALLEY
ASSOCIATION OF REALTORS®**

CHECK OUT WHAT IS GOING ON AT
WWW.CVAR.ORG OR ON FACEBOOK
CENTRAL VALLEY ASSOCIATION OF
REALTORS®

**This issue was brought to you by
CVAR and your local Affiliate**

**Do you need your 45 hours of continuing done
quickly?**

**Did you know the continuing education laws
will be changing and getting harder come
Jan 1, 2011?**

Back by popular demand the Quickest & Easiest
Renewal brought to you by Central Valley Asso-
ciation of REALTORS®

Course Outline:

8/19/2010

8:30 Registration Begins

9:00 – 10:30 Optional Review (for all
45 hours) 10:45 Exams Begin

125 min for mandatory course testing

RECEIVE your certificates of com-
pletion for the five (5) mandatory
courses upon completion of exams

Contact CVAR to sign up today at
858-1700

SPACE IS LIMITED!

\$79.00 for CVAR members

Registration Fee

\$79.00 for CVAR Member

**Topics include: Ethics,
Agency, Fair Housing, Trust
Fund Handling, Risk Mgmt,
Legal and Marketing updates**

***In accordance with new DRE
regulations, no licensee will
be allowed to TEST for more
than 15 hours of credit in 1
day. Therefore we have a spe-
cial ONLINE testing site for
you to complete the other 30
hours. This is service is pro-
vided to at no additional cost!**

2009 Central Valley Association Masters Club Achievers

Ms. Anna Anguiano-Century 21/
M&M Associates, Mrs. Donna
Baker-At Home Real Estate Group,
Mrs. Kristina Baker-Prudential
California Realty, Mr. Bill Bar-
ringer-Century 21/M&M Associates,
Ms. Christi Bean-At Home Real
Estate Group, Ms. Renee Becker-
Beck Inc. REALTOR® S, Mrs.
Shelly Bell-Coldwell Banker/
Endsley & Assoc., Mr. Patrick Bill-
Keller Williams Premier Prop., Mrs.
Marilyn Blanco-Real Estate Store,
Mr. Michael Blower-Blower REAL-
TOR®, Mr. Steven Cardinalli-
Regency Real Estate, Ms. Treena
Cheatham-Regency Real Estate,
Ms. Jamie Conti-Keller Williams
Premier Prop., Mrs. Ann Dingman-
Windermere Property Pros, Mr.
Peter Diryawush-Simple Realty,
Mrs Cindy Foster-ReMax Execu-
tive, Ms. Elisha Foster-ReMax Ex-
ecutive, Ms. Karen Freeman-
Innovative Realty, Mr. Davoud Gol-
zar-Fariba-Realty 1 Team, Inc.,
Mrs. Peggy Halsor-Coldwell

Banker/Endsley & Assoc, Mr.
Stephen Hernand-Integrity Real
Estate Services, Mr. John Hertle-
EXIT Realty Armell & Hertle, Ms.
Pati Holkesvig-Werner Properties,
Mr. Darrell Isaacs-Darrell Isaacs
Team Professionals, Mr. James
Kietzke-Beck Inc. REALTOR®, Mr.
John Lazar-Coldwell Banker/
Endsley & Assoc, Ms. Debbie Lurt-
sema-Prudential California Realty,
Mrs. Jerri Matoza-EXIT Realty
Armell & Hertle, Mr. John Meyer-
John Meyer Realty, Mr. Heidi
Mezenski-Realty 1 Team, Inc., Mrs.
Penelope Miller-Prudential Califor-
nia Realty, Mrs. Deborah Mon-
ceaux-Regency Real Estate, Mr.
Mike Musick-Century 21/Golden
Oaks, Mr. Daniel Navone-Premier
Real Estate Group, Ms. Marian
Norris-Prudential California Realty,
Mrs. Debra Olson-Grupe Real Es-
tate, Mrs. Adriana Orlando-
Regency Real Estate, Ms. Christine
Papworth-Re/Max Executive, Mr.
John Parisek-Curran/GMAC Real

Estate, Mrs. Amy Ruvalcaba-Joslin
Real Estate, Mr. Richard Salinas-
Coldwell Banker/Endsley & Assoc.,
Mr. Luis Santos-Allison James Es-
tates & Homes, Ms. Roxanna Shatz
-Century 21/M&M Associates, Ms.
Vi Sikkema-Re/Max Executive, Mrs.
Andra Sill-Keller Williams Premier
Prop., Mr. Frank Silveria-Keller
Williams Premier Prop., Mrs. Su-
man Singh-Bayview Residential
Brokerage, Mr. Joe Sullivan-
Century 21/M&M Associates, Ms.
Elizabeth Tan-Renaissance Real
Estate, Mrs. Kris Thompson-Keller
Williams Premier Prop., Mrs.
Nicole Truskowski-Professional
Realty Inc., Ms. Brandy Westby-
Eckroth-Prudential California Re-
alty, Mrs. Irene Woods-Regency
Real Estate, Mr. Ronald Wose-
Realty 1 Team, Inc., Mrs. Sandra
Wose-Realty 1 Team, Inc., Ms.
Nancy Wu-Century 21/M&M Asso-
ciates **Congratulations to
everyone and a big thank you to
the committee that worked so
hard!**