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February
2016

Plymouth and South Shore
ASSOCIATION of REALTORS®, INC.



REALTOR®

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**WE HAVE THE DIGITAL TOOLS
TO BUILD YOUR BUSINESS**

LETTER FROM THE PRESIDENT

Dear Fellow Members,

Boys & Girls Clubs of America had its beginnings in 1860 with three women from Hartford, CT Mary Goodwin, Alice Goodwin and Elizabeth Hammersley. They believed that there was a positive alternative to boys roaming the streets.

Today, more than 4.1 million young people participate in 4,000 clubs across the country. They take part in sports, arts and crafts and homework help during those critical hours after school and in the summer.

The Boys & Girls Clubs are not an urban or inner-city organization but are everywhere. We are fortunate to have two clubs in the PASS jurisdictional area - Plymouth and Marshfield.

There are over 16 million alumni of the Boys and Girls clubs and they are as varied as any high-achieving community, including Senators, Chief Justices and Academy Award winners. In fact, one of our favorite local movie stars Mark Wahlberg is a Boys and Girls Club alumnus.

Misty Copeland, who is the first African-American female principal dancer of American Ballet Theatre, was first introduced to ballet at the San Pedro Boys & Girls Club. She credits the Boys & Girls Club for all her success.

I had the privilege of hearing Evander Holyfield speak at the NAR Leadership Summit in Chicago. The impact of his one decision to join the Boys & Girls Club was profound because it led him to a man who would teach him boxing and coach him. The coach helped him develop the character necessary to achieve great heights and be the person he is today (an Olympian and a 4 time world heavyweight champion).

NAR President Tom Salomone's decision to join forces with the Boys & Girls Club and give back to the community is a natural fit for REALTORS®. The PASS Community Service Committee has already met with both the Plymouth and Marshfield Boys & Girls Clubs to evaluate each club's needs and will be reaching out to the PASS membership with volunteer opportunities. If you serve on a Club Board or are involved with a Boys and Girls Club in any capacity, let PASS know. If you would like to make a donation to a specific Boys & Girls Club, Go to www.realtor.org/BGCA.

A functional and healthy group of young people is essential for a community and good for real estate. As the Boys & Girls Club slogan goes, "Great Futures Start Here."

Sincerely,

Donna Frano

2016 PASS President



Broker's Corner

What are the RPR Broker Tools?

RPR® is not just for agents; it is an invaluable tool for brokers, owners, managers and companies. The RPR® Broker Tool Set provides valuable tools focused on the support, promotion and market value of RPR®. And just like RPR®, the Broker Tool Sets are included in your Realtor® dues, so there is no additional cost...period.

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Examine trends across multiple MIS's in a single data feed, compile reports, office or agent sales, listings, and distressed property transactions. Measure productivity against the market, or within your own company.

<http://blog.narrpr.com>

See pg. 6 for information on the RPR® class at PASS on March 10th.

Were you a Club Kid?



**BOYS & GIRLS CLUBS
OF AMERICA**

The Boys & Girls Clubs of America has established a BGCA Alumni & Friends Club to connect with past and present Club Kids! Were you involved at the Boys & Girls Club when you were a kid? Join the Alumni Club at <http://goo.gl/Iom18>

Give Us 2 Hours...

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Get introduced to the power of RPR: integrated tax, MLS data, foreclosure, flood maps, valuations, schools, virtually everything you need in one place to be a local market expert!

Generate comprehensive buyer and seller reports in seconds, and provide powerful analytics to determine values and list prices. This NAR member benefit is yours as a member of NAR; don't miss this session to take advantage of this great member benefit.

Start using
RPR right
away!

DATE: Thursday, March 10, 2016

TIME: 1pm - 3pm

LOCATION:

Plymouth and South Shore Association
of REALTORS®

48 Schoosett St.

Pembroke, MA

INSTRUCTOR:

Kimberly Allard-Moccia



PASS Real Estate Education February & March, 2016

Current, relevant education for the real estate professional.

FEBRUARY SCHEDULE

TUES / FEB 23, 2016

9:00 - 11:00am Foreclosures
RE28RC12. **Tucker Dulong, Esq.,
Instructor**

11:15am - 1:15pm Consumer
Financial Protection Bureau (CFPB)
Effect on Real Estate RE93R15

**Keith Polaski, NMLS #20046,
Instructor**

Lunch Break (30 min)

1:45 - 3:45pm Purchase and Sale
Agreement in Residential Transactions
RE89R14. **Michael Baird, Esq.,
Instructor**

WED / FEB 24, 2016

9:00 - 11:30am Real Estate Brokerage
Professional Ethics RE33RC11 (This
class is 2.5 hours to meet the National
Association of REALTORS® Ethics
requirement.)

Lunch Break (30 minutes)

12:00 - 2:00pm Due Diligence in Seller
Representation in Residential RE
Transactions RE97R15 ***new!!**

2:15 - 4:15pm Commonly Used
Forms: Mandatory/Optional RE39C05

**Jody O'Brien, ABR®, SRS,
Instructor**

MARCH SCHEDULE

TUES / MARCH 8, 2016

9:00 - 11:00am High Performance
Green Homes in Residential Real
Estate RE86R14

11:15am - 1:15pm Antitrust
RE11RC07

Lunch Break (30 min)

1:45 - 3:45pm Environmental Issues
RE63RC10

Craig Foley, GREEN, Instructor

WED / MARCH 9, 2016

9:00 - 11:00am Escrow / Escrow
Agents / Escrow Accounts in Real
Estate RE84RC13

11:15am - 1:15pm Real Estate
Advertising Compliance and the Law
RE41R05

Lunch Break (30 min)

1:45 - 3:45pm Comparative Market
Analysis (CMA) RE62RC10

**Anita Hill, CBR, CRB, ASR, SRES,
Instructor**



Cost: Members \$20 / Non-Members \$30 per class
Members Register: www.PassRealtors.com

Location:

48 Schoosett St. (Rt. 139) Pembroke, MA 02359

Please arrive on time to receive CE credit.

2 HOUR CE CLASSES WITH REAL EXAMPLES AND A LIVE INSTRUCTOR

The Plymouth and South Shore Association of REALTORS® (PASS) Real Estate School offers continuing education classes and has helped launch real estate careers for over a decade. Each class is approved for 2 CE credits in MA. Walk-ins welcome if space allows. Per MA RE license law, late arrivals may attend, but will not receive CE credit. Our instructors offer current and relevant education for the real estate professional.

Name: _____

Email: _____ Phone: _____

Address: _____

City / State / Zip: _____

CC: _____ CVV: _____ Exp: _____

MC, Visa, AMEX, check or cash accepted. Mail, fax, or email registration to PASS. No refunds/credits the day of the course. Register: www.PassRealtors.com. Cost: Members \$20 per class. Public \$30 per class. Please circle the classes you wish to attend above. An email confirmation will be sent to you. There is a 30 minute lunch break as indicated on the above schedule.

Broker Business Series

Cyber, Data and Privacy Protection



Attorney Jennifer Markowski,
Peabody & Arnold LLP



John Torvi, VP Marketing &
Sales, The Herbert H. Landy
Insurance Agency



What are the **threats** to your cyber, data and privacy? Is it computer hacking, dumpster diving, disgruntled employees or not securing your personal phone or iPad? Learn what the Commonwealth of Massachusetts requires businesses to do to protect their clients and what the civil penalties are if something goes wrong. Prevent heartburn and worry, **discover common strategies to protect your business and clients.**

This third Broker Series session will feature Attorney Jennifer Markowski and John Torvi, both experienced professionals knowledgeable about the importance of cyber security.

Offered in partnership with Herbert H. Landy Insurance Agency.

February 9, 2016 • 10:00 - 11:30am

Check in at 9:45am

**48 Schoosett St. (Rt. 139)
Pembroke, MA 02359**

\$20 per person
(Part 3 of 3 part series)
Register at:
www.PassRealtors.com

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The PASS Young Professionals

Invite You to the

Pre-Super Bowl YPN Launch Party

and...



Date/Time:

Thursday, Feb. 4, 2016 from 5:30 - 8:30 pm

Location:

Upper Hall, 48 Schoosett Street, Pembroke

Admission Fee:

\$10 Members/\$15 Non-Members

Restaurant Chili Contestants:

\$50 entry fee (incl. Admission)

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- Football Toss • Hula Hoop Competition
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EQUAL HOUSING OPPORTUNITY (EHO) TASK FORCE CORNER

The PASS Equal Housing Opportunity Task Force will be hosting its annual Membership Meeting in celebration of Fair Housing month on Thursday, April 14th!

The focus of this year's meeting is South Shore housing agencies and what they can do to help homebuyers realize their dreams and support growth in our communities. It will also include a review of the incredible affordable loan programs available to buyers right here in Massachusetts.

South Shore Housing, Plymouth Redevelopment, The Fair Housing Center of Greater Boston and NeighborWorks are a few of the housing organizations that will be joining the meeting on April 14. These organizations will provide valuable information to REALTOR® and Affiliates about helping homebuyers find low cost financing programs, down payment and closing cost grants. These agencies provide communities with a vast array of programs.

The Fair Housing Center of Greater Boston is an organization that offers fair housing service such as testing, case advocacy, training, community outreach, policy advocacy and research.

Mass Housing will also be present with information about a new low cost, no down payment loan program for members of the U.S. Military.

Mass Housing Partnership (MHP ONE) will provide information about their low interest rate, 3% down with no mortgage insurance loans.

CHAPA approved housing agencies offer potential homebuyers the required education classes needed to be eligible to apply for Mass Housing, MHP (Mass Housing Partnership One loan), and USDA loans. Participants also need to complete the classes to be eligible to apply for down payment and closing cost assistance grants and 40B properties.

In the classes, potential buyers learn how to improve their credit, improve their ability to save, and what is needed to qualify for an affordable mortgage program. The agency reviews what is expected of buyers during the entire home buying process. Statistically, the Commonwealth has seen a significant drop in foreclosure rates for homebuyers who have completed CHAPA approved classes.

As REALTOR®, having knowledge of local housing agencies helps you to direct buyers to educational services, lending programs and grants that can make the dream of homeownership more affordable and help the communities where you work and live thrive.

This article was submitted by 2016 Equal Housing Opportunity Task Force member Beth Murphy.

NEW Member Benefit

WHAT IS THE PASS OMBUDSMAN Program?

Ombudsman Procedures adopted by the Plymouth and South Shore Association of REALTOR® (PASS) are intended to provide enhanced communications and initial problem-solving capacity to the professional standards process. PASS is charged with the responsibility of receiving and resolving ethics complaints, and hearing arbitration disputes filed against its' members. An Ombudsman can respond to general questions regarding real estate practices, transaction details, ethical practices and enforcement issues.

HOW WILL I KNOW TO ASK FOR AN OMBUDSMAN?

Many complaints do not expressly allege violations of specific articles of the REALTOR® Code of Ethics and may not concern conduct related to the Code. Some complaints are transactional, technical, and procedural questions that can be readily responded to. Some complaints are due strictly to lack of communication. These types of issues may be appropriate for the Ombudsman program.

WHAT ARE REALTOR® OMBUDSMAN BENEFITS?

You can receive non-judgmental real estate related information in a timely manner and at no cost.

WHAT THE OMBUDSMEN WILL NOT DO?

- Adjudicate/ make the final decision;
- Give legal advice;
- Determine who is right or wrong;
- Disclose communications – Process is CONFIDENTIAL;
- Make any written record of discussions and/ or agreements.

WHO ARE THE OMBUDSMEN?

REALTOR® appointed to be Ombudsmen must:

- Meet criteria for extensive real estate experience and/ or additional qualifications as determined by the PASS Board of Directors;
- Demonstrate objectivity;
- Participate in a training program; and
- Possess extensive knowledge of the REALTOR® Code of Ethics, license law and best practices.

HOW DOES THE OMBUDSMAN PROCESS WORK?

The PASS Professional Standards Administrator and/ or the Chief Executive Officer will assemble information to be sent to the PASS Ombudsman via e-mail. This information may include:

- Name, phone number and role of the complainant (that is, buyer, seller, broker, etc.)
- Name, phone number, and role of the respondent (that is, broker, principal broker, etc.)
- If the respondent is a broker, the name of principal broker and/ or managing broker.

The PASS Ombudsman will make all necessary contacts in an attempt to resolve the complaint or assist with a question. If the Ombudsman efforts are effective, there is no further action necessary. If the efforts are not successful in resolving the Complainant's issues, the Ombudsman will advise the Complainant about the next step(s) in the complaint process.

MEMBERSHIP REPORT

APPLICATIONS FOR REALTOR® MEMBERSHIP HAVE BEEN RECEIVED FROM:

| | |
|------------------|---|
| Sandra Allan | Weichert Realtors, The Chase Team, Scituate |
| Thomas Allan | Weichert Realtors, The Chase Team, Scituate |
| Robin Ball | Jack Conway & Co., Inc. Hingham |
| Paul Cakounes | Jack Conway & Co., Inc. Hingham |
| Lisa Camara | Success! Real Estate, Braintree |
| Karin Cassetta | Jack Conway & Co., Inc. Marshfield |
| Pamela Coletti | Keller Williams Realty, Centerville |
| William Haran | RE/ MAX Spectrum, Pembroke |
| Fred Henning | William Raveis Real Estate, Norwell |
| Anne Hirtle | Success! Real Estate, Braintree |
| Dennis McCarron | William Raveis Real Estate, Norwell |
| Kevin G. O'Brien | Vantage Point Realty Advisors, Norwell |
| Scott Rand | Success! Real Estate, Braintree |
| Meaghan Reney | Alante Real Estate, Plymouth |
| Ian Watkins | Century 21 Annex, Quincy |

THE FOLLOWING OFFICES HAVE CHANGES:

| | |
|--------------------------------------|-------------------|
| Integrity First Real Estate, Wareham | Rodney Finley, DR |
| | – New office |

PASS regrets to inform you of the passing of two PASS Members:
Paula Piccinin of Keller Williams Realty, S. Easton and Joseph Buiei of Realty Choice, Inc, Rockland

MEMBERSHIP TOTALS

| | <u>Dec. 2015</u> | <u>Dec. 2014</u> |
|-------------------------------------|------------------|------------------|
| REALTOR® MEMBERS | 2,518 | 2,487 |
| PROVISIONAL MEMBERS | 28 | 53 |
| SECONDARY MEMBERS | <u>30</u> | <u>24</u> |
| TOTAL REALTOR® & SECONDARY | 2,576 | 2,564 |
| MEMBERS IN PROCESS | 78 | 64 |
| AFFILIATE MEMBERS – IND | 45 | 46 |
| AFFILIATE MEMBERS – CORP (34 firms) | 130 | <u>55</u> |
| TOTAL AFFILIATE MEMBERS | 175 | 101 |
| TOTAL MEMBERSHIP | 2,829 | 2,729 |

You know it is in the best interest of consumers to use a REALTOR® but some people may need convincing. Download the following marketing piece “**7 Reasons to Work With a REALTOR®**” from the link below. Add your logo and contact information and provide it to potential clients.

<http://realtormag.realtor.org/sales-and-marketing/handouts-for-customers/for-sellers/7-reasons-work-realtor>

7 Reasons to Work With a REALTOR®

REALTOR® aren't just agents. They're professional members of the National Association of REALTOR® and subscribe to its strict code of ethics. This is the REALTOR® difference for home buyers:

- 1** An expert guide. Selling a home usually requires dozens of forms, reports, disclosures, and other technical documents. A knowledgeable expert will help you prepare the best deal, and avoid delays or costly mistakes. Also, there's a lot of jargon involved, so you want to work with a professional who can speak the language.
- 2** Objective information and opinions. REALTOR® can provide local information on utilities, zoning, schools, and more. They also have objective information about each property. REALTOR® can use that data to help you determine if the property has what you need.
- 3** Property marketing power. Property doesn't sell due to advertising alone. A large share of real estate sales comes as the result of a practitioner's contacts with previous clients, friends, and family. When a property is marketed by a REALTOR®, you do not have to allow strangers into your home. Your REALTOR® will generally prescreen and accompany qualified prospects through your property.
- 4** Negotiation knowledge. There are many factors up for discussion in a deal. A REALTOR® will look at every angle from your perspective, including crafting a purchase agreement that allows you the flexibility you need to take that next step.
- 5** Up-to-date experience. Most people sell only a few homes in a lifetime, usually with quite a few years in between each sale. Even if you've done it before, laws and regulations change. REALTOR® handle hundreds of transactions over the course of their career.
- 6** Your rock during emotional moments. A home is so much more than four walls and a roof. And for most people, property represents the biggest purchase they'll ever make. Having a concerned, but objective, third party helps you stay focused on the issues most important to you.
- 7** Ethical treatment. Every REALTOR® must adhere to a strict code of ethics, which is based on professionalism and protection of the public. As a REALTOR®'s client, you can expect honest and ethical treatment in all transaction-related matters.



Michael McDonagh
MAR General Counsel



Ashley Stolba
MAR Associate Counsel



Justin Davidson
MAR Staff Attorney

Each month MAR General Counsel forwards the most popular questions that the Legal Hotline receives and the correct legal answers to these questions.

Q: My client owns a rental property and insists that he has no responsibility for removal of snow except for clearing the sidewalks as required by a municipal ordinance. Is he correct?

A: No. The usual rule is that it is the responsibility of the homeowner or landlord to keep means of egress free of snow and ice. The State Sanitary Code provides that, “the owner shall maintain all means of egress at all times in a safe, operable condition and shall keep all exterior stairways, fire escapes, egress balconies and bridges free of snow and ice.”

If the residence has its own means of egress, meaning that it is not shared with other occupants, the landlord and tenant can agree to allocate the responsibility of maintaining such egress free of snow and ice to the tenant. Therefore, in situations where there is a single or multi-family home and the occupant has its own exclusive means of egress, be sure to review the lease to determine who is responsible for keeping exclusive means of egress clear of snow.

Q: As a property owner, do I have a legal obligation to remove snow and ice from my property?

A: Yes. All Massachusetts property owners have a duty to use “reasonable care” for the protection of visitors, and are legally responsible for the removal of snow and ice from their property. In terms of liability, homeowners should be aware of the 2010 SJC ruling of *Papadopoulos v. Target Corp.* That case expanded the duty of property owners to remove snow and ice from their property and definitively held that Massachusetts property owners have a duty to use “reasonable care” for the protection of visitors, and are legally responsible for the removal of snow and ice from their property.

The Court did not define “reasonable care,” and the duty of the property owner will depend on the specific situation. It is recommended that every property owner should take care to do the following: (1) review insurance policies to be sure that there is adequate coverage; (2) determine whether contractors or others hired to remove snow and ice have insurance; and (3) be vigilant when there is newly fallen snow, melting or freezing. If complete clearing is not possible, warning signs may be appropriate. Clients that have specific questions regarding their duty to clear snow should consult their attorney.

NAR Code of Ethics Training is due by the end of 2016!

2016 marks the last year in the National Association of REALTORS® (NAR) Code of Ethics Quadrennial, this defined cycle (4) is from January 1, 2013 through December 31, 2016. **All REALTORS® are required to complete the 2.5 Code of Ethics training program once during this quadrennial.** According to our records, about 35% of PASS members have met this requirement. We are off to a good start!

Here are some ways to meet this requirement:

Take a live, instructor led course at PASS. PASS will offer Ethics classes throughout the year in our Pembroke location. PASS will automatically input your completion data to NAR. All PASS offerings will be **2.5 hours** to meet the NAR requirement. The Code of Ethics will continue to be included in the PASS New Member **Orientation** class which runs every other month (new members only).

Here are a few upcoming class offerings:

Feb. 2 – 3, 2016 Certified Buyer Representative (CBR) Designation class at PASS (\$289) 4 CE credits - 2 for Buyer Agency and 2 for Code of Ethics over the 2 day class.

Feb. 24, 2016 at 9:00am – 11:30am – regular CE schedule at PASS (\$20)

April 14, 2016 - Fair Housing Membership Meeting (8am – 12pm) with CE on Code of Ethics (members only, free – includes business clothing drive and sponsor and fair housing resource tables).

Finally, if you can't make a live class, take the **Code of Ethics course online at realtor.org**. You will need to create a log in with your NRDS number in order to receive credit. This option does not provide continuing education credits in Massachusetts however it does meet the REALTOR® requirement and is free to members in good standing.

Don't delay! Complete your required Code of Ethics training early and avoid the rush!

Please note: If you complete Code of Ethics training elsewhere, you need to submit the signed completion certificate to PASS before year end. The course needs to be from a MA approved Real Estate School, taught by a MA approved Real Estate Instructor (to meet MA requirements) and be **2.5 hours** in length (to meet NAR requirements).

The PASS Community Service Committee ended 2015 on a high note with a \$10,800 check presentation to Homes for our Troops (proceeds of the November Trivia Night Challenge to Benefit Homes for Our Troops) and a \$1,000 check presentation to the Home for Little Wanderers. The Committee submitted a Housing and Homeless Assistance Grant application on behalf of The Home for Little Wanderers to the MAR charitable Foundation.



Back Row (left to right). PASS Community Service Committee member Julie Chapman, PASS 2015 President Brian Molisse, PASS Community Service Committee members: Kevin Costantino, Maureen Mansfield, John Harrington, Denise Rannou Jeffrey DeMoura, Jonathan Keener, PASS CEO Rachel Tristano and PASS Communications Director Jean Sawtelle. Front Row (left to right). PASS Community Service Committee member Amy Troup, Homes for Our Troops Community Fundraising Coordinator Dylan Curtis, PASS 2015 Community Service Committee Chairperson Kathy Judge, PASS Community Service Committee Members: Lillian Leone and Suzanne O'Leary.



Back Row (left to right) PASS Community Service Committee members: Kevin Costantino, John Harrington, Sherry Costello, Maureen Mansfield, Jonathan Keener, Julie Chapman, Jeff Demoura, Lillian Leone, Suzanne O'Leary, PASS 2015 President, Brian Molisse. Front Row (left to right) PASS Community Service Committee members: Denise Rannou, Amy Troup, The Home for Little Wanderers Associate Director of Development Howard Novick, PASS 2015 Community Service Committee Chairperson Kathy Judge, PASS CEO Rachel Tristano.



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FEBRUARY



C A L E N D A R

- | | |
|--------------|---|
| February 2-3 | Certified Buyer Representative Designation Class, 9 am |
| February 4 | Pre-Super Bowl YPN Launch Party & Chili Cook-off |
| February 9 | Broker Business Series, 10 am |
| February 15 | Presidents Day - PASS Office Closed |
| February 18 | PASS Board of Directors Meeting, 9 am |
| February 18 | Equal Housing Opportunity Task Force Meeting, 9:45 am |
| February 23 | Continuing Education Classes (3 Classes, 2 credits per class) |
| February 24 | Continuing Education Classes (3 Classes, 2 credits per class) |