

THE REALTOR®



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LIRealtor.com

We Are More Than REALTORS® is an Understatement

By Charlotte Van der Waag
LIBOR President

As I round the turn on my final lap serving as your Long Island Board of REALTORS® (LIBOR) President, I want to reflect, or actually share with you, some of the spectacular Public Relations efforts put forth by the “We’re More than REALTORS®...” (WMTR) campaign. The WMTR campaign was created by LIBOR’s Public Relations committee in 2006. The campaign’s objective is to raise public awareness about the REALTOR® endeavors in our community, in addition to helping local residents buy and sell homes.

Over the past decade, the campaign has supported numerous organizations and philanthropic community programs across Long Island and throughout the world. Each year LIBOR members ardently dedicate their time and energy to support these programs; helping to make Long Island a better place to live. As a result of sponsoring the building of Habitat for Humanity homes yearly, to constructing wheelchair ramps for the disabled with Rebuilding Together Long Island, to actively opposing any public policies that impede homeownership, we keep the American Dream of Homeownership in the forefront of our business. This



REALTOR® Scouting Scholarship Recipients with (center l-r) LIBOR President Charlotte Van der Waag and LIBOR President Elect Dianne Scalza

year we added a veteran house sponsorship through the Fairway Foundation. In November, the house located in Mastic Beach, will be ready to be inhabited by a local veteran, at no cost to them. LIBOR is honored to play a role in this life-changing opportunity.

On the morning of Tuesday, August 7, 2018, I had the distinct pleasure of presenting the REALTOR® Scouting Scholarship Award to four of the six outstanding recipients, at a special breakfast held for the recipients and their parents in Lindenhurst, NY. These are the kind of days that warm my heart. Through this scholarship program, LIBOR awarded six \$1,000 mer-

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Making Strides Against Breast Cancer

Join Team LIBOR at this year’s Making Strides Against Breast Cancer - Long Island Walk on October 21st (Jones Beach) and Making Strides Against Breast Cancer Eastern LI Walk on October 28th (Suffolk Community College Eastern Campus, Riverhead). Complimentary LIBOR hats will be given to registrants at the Access to Care Tent at the West Bath House on Walk day (while supplies last)! Each event

is a noncompetitive 3 to 5 mile walk that brings people together to make a difference for everyone who has been touched by breast cancer. It’s a day that shouldn’t be missed and won’t be forgotten. For more information and to register, visit www.makingstrideswalk.org/LongIsland.



It's the Most Important Time of the Year!

By Marlo Paventi Dilts

LIBOR Director of Government Affairs

As the seasons have changed from Spring to Summer here at LIBOR; it's been non-stop busy with lawmaker visits in Albany and DC, lobbying our county officials for more transparency in co-op housing, RPAC events and general Government Affairs planning. As we peek into the calendar at the coming months, I've determined that Fall at LIBOR just might be the <cue the Andy Williams> "Most Wonderful Time of the Year!"

This Fall, we have more to look forward to than sending the kids back to school, apple picking and pumpkin spice everything; we have to focus on the important actions we have to take as professionals that will help our businesses grow and succeed.

RPAC Investment in your Dues Bills

At the end of August, you will have received your Annual LIBOR Dues Bill. This is your opportunity to make the most important investment in your business that you will ever make. Investing money into the REALTORS® Political Action Committee (RPAC) has and will continue to help elect lawmakers that shape legislation important to your business and communities such as:

- Extending the National Flood Insurance Program to ensure more affordable premiums.
- Advocating for a tax-free savings account program for first time buyers.
- Preserving the Mortgage Interest Deduction (MID) for existing homeowners and second homes while reaching a compromise to deliver the MID to new homeowners.
- Crushing numerous attempts to increase real estate transfer taxes
- Preventing additional locally proposed mortgage recording fees

Be on the look-out in your Dues Bill for your opportunity to invest in RPAC.

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We Are More Than REALTORS®

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it-based Scholarships to three New York Eagle Scouts and three New York Gold Girl Scouts in the graduating class of 2018. The recipients are as follows (in alphabetical order): Ryan Ewanyk of East Northport,

Hanna Hudson of Centereach, Jake Linkletter of Miller Place, Alexandra Romanoff of Setauket, Bryan Sinclair of Smithtown, Chloe Van Dorn of Syosset.

Also, new this year, LIBOR is proud to be a sponsor of the Making Strides Against Breast Cancer — Long Island Walk on October 21st (Jones Beach) and Making Strides Against Breast Cancer Eastern LI Walk on October 28th (Suffolk Community College Eastern Campus, Riverhead). The American Cancer Society Making Strides Against Breast Cancer walks raise awareness and funds to save lives from breast cancer. A Making Strides event is a celebration of survivors and opportunity to remember loved-ones lost. We ask that you join us for either event (details on page 1).

Looking ahead, LIBOR will host the Annual REALTORS® Against Hunger (RAH) initiative, to fight hunger in our local communities. In the months of November and December participating REALTOR® offices will be collecting donations of non-perishable food items at their offices, events and food drives at neighboring supermarkets, throughout Nassau, Suffolk and Queens Counties. This collection drive supports efforts to provide food to hundreds of local food pantries, soup kitchens, shelters and other programs that feed the hungry.

These are just a few of the many elements that encompass the "We're More than REALTORS®" campaign. Giving back to the communities we live and work in through volunteer leadership makes a positive impact on those we serve. We are genuinely "More than REALTORS®". ●



*Veteran House Sponsorship
with Fairway Foundation*

Code Of Ethics Questions

By Cathy Nolan
Goldson, Nolan & Connolly P.C.



Q. A listing agent is refusing to let me re-show his listing and will not present my buyer's offer to the seller. Is that allowed?

A. Refusing to allow a buyer or agent into a house or to present an offer made by a buyer when that house is listed on the MLS, could prove to be a violation of MLS Rules and the REALTORS® Code of Ethics. Under MLS Rule 501.11, Participants are instructed that, "All listings to be submitted to the Service must contain a written authorization by the owner(s) of the property to appoint MLS Participants as Cooperating Brokers" and Rule 703.2 states that, "Listing broker, or anyone licensed in the Listing Broker's office, must immediately advise the seller that an offer has been made and shall make timely arrangements for the offer(s) to be presented." Nowhere does it say the Listing Broker has the right to refuse to advise the seller that there is an offer! In addition, Article 3 of the Code of Ethics states, "REALTORS® shall cooperate with other brokers except when that cooperation is not in the client's best interest." The burden of proving that the cooperation is not in the best interest of the client is on the listing broker and that broker should have a signed writing from the seller to prove that the REALTOR® was instructed to refuse to cooperate with the other broker!

Q. I brought a buyer to another agent's listing and the buyer liked the property but wanted to know if there had ever been a fire in the house. The listing agent said that question was out of line and refused to ask the seller. Was that agent right?

A. In the Seller Property Condition Disclosure, one of the questions for the seller to answer has to do with whether a fire ever occurred in the house. If the NYS Legislature thought it was a material question, the buyer had every right to think so as well. The listing agent should have asked the seller, and if the seller did not want to answer that question, the seller could have told that to the agent. Who could have conveyed that response to the buyer? The listing agent's attitude seems to be in violation of Article 2 of the Code of Ethics, wherein an agent is required "to treat all parties hon-

estly." Does that agent's behavior seem right to you?

Q. Can I take a listing from a seller who is listed with another agent but is unhappy with that agent's representation? I would not do it until the seller had obtained an unconditional release from the other agent.

A. If you tell the seller to get the unconditional release, you could be violating MLS Rules 606.2, which states that, "No multiple listing shall be solicited by any Participant other than the Listing Participant until after the expiration of the original listing," and/or 606.3, which states, "Participants shall not solicit a listing on property filed with the Service unless such solicitation is consistent with Article 16 of the Code of Ethics." Such solicitation shall be considered a violation of Article 16 of the Code of Ethics, however, when a REALTOR® engages, "in any practice or take(s) any action inconsistent with exclusive representation or exclusive brokerage relationship agreements that other REALTOR® have with their clients," which seems pretty straightforward to me.

Q. I brought a buyer to a house, answered all his questions regarding the property, presented an offer on behalf of the buyer and brought about a meeting of the minds! The listing broker then put the transaction together without me or my office and we did not get paid! My broker and I want to sue the seller and the listing broker. Can we do that?

A. Article 17 of the Code of Ethics mandates that REALTORS® settle their commission disputes regarding the selling side of the transaction in an Arbitration at the Board instead of in a Court of Law. "In the event of contractual disputes...between REALTORS® associated with different firms, arising out of their relationship as REALTOR®, the REALTOR® shall mediate...or arbitrate, in accordance with the policies of the Board rather than litigate the matter." In other words, REALTORS® are to settle such disputes at the Board rather than in Court!

Q. A REALTOR® put false and defamatory statements about me on a social media site. What can I do?

A. That REALTOR® may have violated Article 15 of the Code of Ethics, since the Article states, "REALTORS® shall not knowingly or recklessly make false or misleading statements about other real estate professionals, their businesses, or their business practices." You can make an Ethics complaint against that REALTOR®! ●

LIBOR COURSE SCHEDULE



UPCOMING COURSES OFFERED AT LIBOR

VISIT LIREALTOR.COM/EDUCATION FOR CLASS DATES AND LOCATIONS

CIPS – Certified International Property Specialist

Coming to the Woodbury Realtor Service Center – OCTOBER 2018

GLOBAL REAL ESTATE: LOCAL MARKETS
Connect with Immigrant Buyers & Foreign Investors in your local market. *Approved 7.5 Hours*

GLOBAL REAL ESTATE: TRANSACTION TOOLS
Get the tools to serve foreign-born buyers, in terms they will understand. *Approved 7.5 Hours*

Fun with RE Analytics Using Stratus and Excel –

Approved for 3.75 Hours

You too can become a “data analyst”! It sounds fancy but in reality it just means finding and taking the information you already have available and using it to build business! See how property ownership data from public records can become a robust list of potential clients. Learn how to download under contract and sold data into Excel. Utilize the new Market Statistics module of Stratus to create spreadsheets, graphs and charts that show absorption rates and changes in supply and demand. Lastly, learn to share this information with consumers through Facebook and other social media, email and printed reports.

HOMESNAP MOBILE:

Engage Clients Via Instanet Updates & Rapid CMAs –

Approved for 3.75 Hours

Homesnap Pro is an amazingly simple, free app for all that gives real estate agents a fun and interesting way to connect with their entire sphere — family far and wide, old friends, neighbors, past co-workers and past clients. Once connected with you they can search listings all 50 states and snap photos of any property to see more information from public records and MLS data. They will receive instant updates on new listings, price changes, under contract and recently sold properties. You can create a 5-minute CMA right in front of them that is not only impressive but amazingly detailed.

Understand Zillow to Educate Clients –

Approved for 3 Hours

Let's face it — consumers LOVE Zillow and take everything it says as gospel. Your job is to know more about it than they do so that you can help them UNDERSTAND how zesti-mates are determined, what they really mean and what their accuracy statistics are! Show consumers how to claim their home. Maximize your free profile and reviews to gain exposure. Connect your listings and past sales to your profile. It doesn't pay to bash Zillow to your customers and clients — become an educator to earn their respect.

LIBOR NEWS

It's the Most Important Time of the Year!

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Voter Registration and Election Day

If you are not registered to vote in New York State, then stop what you are doing RIGHT NOW! You can visit the New York State Board of Elections website at <http://www.elections.ny.gov/VotingRegister.html> to download the most up to date Voter Registration Form. This form must be completed and post marked by October 12th in order to vote in this year's General Election.

Election Day is Tuesday, November 6th. Please make sure you get out and vote those who support YOU.

As a member of the REALTOR® Party, NAR encourages you to vote for candidates and issues that build strong communities, protect property interests and promote a vibrant business environment at the local, state and national levels. There is an old saying that if real estate is your profession then politics should be your business! If you are unsure as to who your lawmakers are, then contact us here at Government Affairs. We would be happy to share that with you! ●



Better Sessions. Bolder Speakers. Tech-Savvy Exhibitors.

This year's MLS Tech Fair has even more opportunities for you to network and learn from some of the industry's most innovative minds. We'll have returning favorites, such as Instanet and Remine as well as plenty of sessions on social media, your on-line presence, Zillow, RPR, big data and much more.

The MLS Tech Fair brings together 1,000 REALTORS®, CEO's, MLS and association leaders, tech entrepreneurs and product experts to network, explore current trends and technology and learn how to embrace and leverage change.

**Don't miss out, register now at
www.mlstechfair.com**