

SRCAR At A Glance

March 14, 2006



News from SRCAR

Applications Now Being Accepted for Positions with the Board of Directors

Qualified members, interested in serving as a Director with the Southwest Riverside County Association of REALTORS®, are urged to complete and return the Candidate Form (online at the Association's website at www.srcar.org). The Nominating Committee, chaired by Past Chairman of the Board, Marjo Wood, will begin holding meetings in the very near future to begin the selection of the slate for Directors for 2006. There will be five (5) vacancies on the Board of Directors beginning January 2007. Each position will be for a term of three years. Completed Candidate's Forms must be returned to the Association office – attention Nominating Committee by Monday, May 1, 2006. Elections will take place on line July 1st through the 21st with results announced at the SRCAR Annual Meeting on July 25, 2006 and then posted on the website. As a reminder, you must be a REALTOR® member in good standing with the Southwest Riverside County Association of REALTORS® to be a candidate for the Board of Directors.

Volunteers

As a reminder, if you wish to volunteer to serve on a committee of the organization, you must be a REALTOR® or an Affiliate in good standing with the Southwest Riverside County Association of REALTORS®. This is in accordance with the Bylaws and Procedures of SRCAR. Thank you.

New Maps Approved

At the Board of Directors meeting of the Southwest Riverside County Association of REALTORS®, new area maps have been approved for Temecula & Murrieta and Lake Elsinore, Wildomar & Canyon Lake. These maps will be available on the Association's website in the coming weeks. Special thanks and appreciation to those members who helped update these documents as well as Jennifer Lipscomb, MLS Staff at SRCAR. Please look for the maps on the website at www.srcar.org in the coming weeks.

Kevin Jeffries for Assembly

At the Board of Directors meeting of the Southwest Riverside County Association of REALTORS®, the Directors endorsed Kevin Jeffries in his candidacy for the Assembly seat currently occupied by Ray Haynes. The Directors reached this endorsement after looking at the qualifications of the candidates and their benefit/cooperation with the real estate industry.

Luck of the Irish Comes Again to Lake Elsinore

Please join Century 21, Premier (located in Lake Elsinore) for their annual St. Patrick's Day celebration on Friday, March 17, 2006 from 5:00 to 7:00 p.m. for Irish Food, Drink, Music and Fun. Door Prizes will be awarded. This is a fundraiser for the Lake Elsinore & Wildomar Chamber of Commerce Scholarship Awards. Oh, Don't Forget to Wear Your **GREEN**. Thank you.

Chaplin Services Available

REALTOR® Jim Tracy has volunteered his services as Chaplin (non-denominational) for Southwest Riverside County Association of REALTORS® members. Should you need these services, please contact Jim Tracy at Pacific Pride Property at 949-661-8020. Thank you.

SRCAR Annual Meeting Scheduled and Speaker Selected

Mark your calendars today to attend the Annual Meeting of the Southwest Riverside County Association of Realtors®. This event will be on Tuesday, July 25, 2006 at the Pechanga Resort & Casino. Tickets to go on Sale in June. This year's guest speaker will be Neil Kalin, Associate General Counsel with the California Association of REALTORS®. Neil will be providing us with a mid-year legal update. Not only is Neil a very informative speaker, he also brings humor and good fun to his presentations. We hope that you will make plans to join us.

Residential Purchase Agreement Class Scheduled

Join SRCAR on Friday, May 12, 2006 for the Residential Purchase Agreement (RPA) Class at SRCAR. This class will be taught by SRCAR Counsel John Giardinelli. Registration begins at 8:30 a.m. with class scheduled to begin at 9:00 a.m. Cost is \$15.00 for REALTORS® and \$30.00 for all others. No DRE Credit is given for this class. Contact SRCAR as soon as possible as seating is very limited – 951/894-2571. This class has sold out every time it was offered in 2005 and was sold out for the February offering. Don't delay – contact us today.

Parking at the Association

As the Association grows larger and larger, parking at the Association becomes a bigger issue. We ask that when you attend events and meetings at the Association, to please park either on the street or in designated parking spaces only. Please do not park directly behind the Association office (behind the role up door), at the corner curbs (McAlby and Adams) or in the lots across the street. Thank you.

MLS at SRCAR New Fax/E Number Established

A new fax/e number has been established for the MLS area within SRCAR. Please use it when sending new listings and changes to existing listings within the MLS at SRCAR. This fax/e number will go directly to jennifer@srcar.org within the Association. The new fax number is: 951/572-3721.

This new fax/e number was established to assist members when submitting new listings and changes to existing listings directly to the MLS Department rather than through the central fax at the Association office. We hope that you will take advantage of this new service. Should you have any questions, please contact Jennifer Lipscomb at SRCAR at 951/894-2571, ext. 134 or email jennifer@srcar.org. Thank you.

MLS Citation/Fine Policy Changes Coming

Effective January 1, 2006, this revision to the Citation/Fine policy becomes effective. The policy was distributed to Designated REALTORS® at their meeting in September. Copies of this document are also available on the website at www.srcar.org. The document is located on the home page on the right of the screen.

In order to learn more about the new revisions to the MLS Citation/Fine Policy, special training has been scheduled for the following date with more dates scheduled quarterly:

- Thursday, April 13, 2006 @ 1:00 p.m.

The training class is approximately 2 hours. Please call the Association office (951/894-2571) to put your name on the list for attendance at this class.

A new fax/e number has been established for this area. Please use it when reporting violations to the Association. This fax/e number will go directly to the mlsviolations@srcar.org address within the Association. The new fax number is: 951/572-3700. In addition, violations can also be reported via the new 800 line for this department only. The number is: 800/919-1008. We urge you to report any violations using either this fax method or the new 800 number. Thank you.

New Membership Signups

New members should plan to join the Association during the following hours: **8:30 a.m. to 11:30 a.m. and 1:30 p.m. to 4:00 p.m.** This time period will provide adequate assistance in joining and avoid any unnecessary delays. Please make sure that the application is completed with the MLS Participant/Designation REALTORS® signature. This will enable the staff to complete the process in a more timely and efficiently manner. Your assistance is greatly appreciated. Thank you.

A new fax/e number has been established for this department. Please use it when submitting new membership applications and changes to existing members to the Association. This fax/e number will go directly to the membership@srcar.org address within the Association. The new fax number is: 951/253-4795. We hope that you will take advantage of this new service.

Important Numbers:

- Supra Technical Support @ 800/545-9601 or 877/699-6787
- MRMLS Tech Support @ 800/925-1525 (from 909/951 area codes); 626/574-3830 (from all others)
- WINForms Support Center – 586/840-0140 (<http://support.zipform.com/>)
- CAR Legal Hotline: 213/739-8282
- SRCAR General Office Fax Number: 951/894-2572
- MLS Citations & Fine Policy Department Fax Number at SRCAR @ 951/572-3700
- MLS Citations & Fine Policy Department Toll Free Number @ 800/919-1008
- Membership Department Fax Number at SRCAR @ 951/253-4795
- MLS Department Fax Number at SRCAR @ 951/572-3721

Grievance & Professional Standards (aka Complaint) Department Toll Free Number @ 800-446-3646

News from MRMLS

Frequently Asked Questions about Smart Trac Available On-Line at www.imrmls.com

To access the FAQ, from the [imrmls.com](http://www.imrmls.com) home page, click the Smart Trac animation and select FAQ.

MRMLS has developed a list of Frequently Asked Questions (FAQ) for our members. This FAQ was developed based upon the questions that new users of the system have reported. The real benefits of Smart Trac will be realized more and more as members become proficient in the use of this state-of-the-art technology platform.

Below is a sample of some of the questions:

- **What is Smart Trac?**
- **Can we use Matrix or iMRMLS and Smart Trac simultaneously?**
- **If a property is not listed in Matrix or iMRMLS can it be accessed via Public Records?**
- **Do out of area agents have access to the system?**
- **How do documents get entered into the computer?**
- **In what format will a WINForms® document be imported?**
- **Can you be auto-notified for To-Do list items?**

Below are some of Smart Trac's features:

- **Fast 24 hours of convenient online access**
- **Manage, Streamline, and Automate To Do Tasks Templates**
- **Digital Document Management**
- **Online File Management**
- **Service Provider Management**
- **Powerful Reporting**

This Smart Trac FAQ is a great reference for all new users of Smart Trac. We encourage you to refer to it as questions come up. Though all members can access Smart Trac now, please note that completion of Smart Trac training is required before you can create a new transaction. We highly encourage all members to take Smart Trac training.

See our Smart Trac webpage for the FAQ's and Smart Trac training:
http://www.imrmls.com/centsite/smart_trac.htm

MRMLS Computer Training

Join the training staff from MRMLS for Computer Training on Thursday, March 16, 2006 for the following classes:

- Listing Upload & Digital Photo (10-12)
- Matrix/SmartMap & Realist (1-4)

Reservations are strongly suggested. Please call SRCAR to reserve your seat today at 951/894-2571. These classes will be offered each month on the 3rd Thursday in the large meeting room at the Association. Please see the calendar for exact dates on the Association's website at www.srcar.org.

MRMLS Presents Smart Trac

Smart Trac web-based application automates, streamlines, and simplifies real estate transactions from listing to closing to post-close. Smart Trac automated 24/7 online access lets you manage files on the run. Training to be held at SRCAR on Friday, March 3, 2006 from 10 to 11:30 a.m. and 1:00 to 2:30 p.m. Call SRCAR to reserve your seat at 951/894-2571.

No Photo Notification

In order to improve the quality of the MRMLS listing database, the MRMLS Board of Directors and Association Executives approved the development of the No Photo Notification system. On behalf of your Association, MRMLS will be sending an automated notification when a listing passes 10 days of age without a photo.

MLSphotos.com offers a service to take a photo of your listed property for you. MLSphotos.com also has the ability to upload photos directly to your listings. Your Association office may also offer or refer a photo taking service. Depending on your Association's violation policy, a pending photo from a photo take service may not excuse a violation.

MRMLS also offers classroom instruction on photo upload at the Association offices. Photo maintenance is also covered in our Listing Upload manual, which can be found by selecting Training, Manuals, IMRMLS and Listing Upload from www.IMRMLS.com.

Though MRMLS policy contains actionable violations, the no photo violation is a referral to your Association. Each association served by MRMLS has their own Violation policies and procedures. Disputes or questions about violation policy should be directed to your Association Office. See Association Contacts from www.IMRMLS.com for further information.

MRMLS is dedicated to bringing you the best possible systems and service. We feel that an improved consistency with photos will benefit all members.

(SRCAR will be adding this policy to the MLS Citation Policy in the coming weeks. More information will follow. Thank you.)

News from CAR

Important WINFORMS® Update

RENEW YOUR WINFORMS® SOFTWARE BEGINNING MARCH 1

Both WINForms Online® and WINForms® Desktop electronic forms software, used by more than 110,000 REALTORS® statewide, must be renewed by March 31 so that you can continue using this free member benefit. Please read the brief instructions below for more information on renewing the version of the software you are using.

How do I renew WINForms Online®?

As a Web-based software program, WINForms Online® will automatically prompt you with a renewal screen beginning March 1. Just follow the simple prompts and click on the "I Accept" button to accept the License Agreement to renew your software for another term of use. You must renew WINForms Online® by March 31 or the software will expire.

How do I renew WINForms® Desktop?

Beginning March 1, WINForms® Desktop will prompt you to renew the product every time you access the software. Click on "Renew now," accept the License Agreement, and you will have access to the software for another term of use. You must renew WINForms® Desktop by March 31 or the software will expire. Please note: You must be connected to the Internet to successfully renew the software.

C.A.R. VICTORIOUS IN LEGAL RULING ON MALICIOUS PROSECUTION CASE

C.A.R. today announced that it received a favorable ruling from the San Diego Superior Court denying a motion to strike C.A.R.'s malicious prosecution complaint against attorney David Barry and plaintiff Arleen Freeman. Such motions are typically used in malicious prosecution cases and often are successful unless the underlying malicious prosecution case has a reasonable likelihood of success.

The Court agreed with C.A.R.'s position that no reasonable attorney could think there could be another lawsuit on the same matter that had already been dismissed by the federal district court and the federal court of appeals. The Court found C.A.R. demonstrated sufficient evidence of malice to go forward with the case against Barry.

In 1997, Freeman sued C.A.R. in federal court, lost on summary judgment, and a U.S. Court of Appeals upheld C.A.R.'s dismissal. Despite these clear rulings, Freeman re-filed against C.A.R. in the same federal court again and also sued the attorneys in the case. The U.S. Ninth Circuit Court of Appeal upheld all of the district court's dismissals in C.A.R.'s favor for the second time.

Lawyers are required to have some legal basis for pressing a suit. In this case, David Barry brought three lawsuits on the same matter, two of which were against C.A.R. State law prohibits malicious prosecution such as when litigants re-file the same matter against the same defendants, causing the defendants to incur attorneys' fees and costs to get it dismissed. At some point, litigation is supposed to be conclusive.

C.A.R. filed the malicious prosecution action against Arleen Freeman and her attorney, David Barry in September 2005.

Barry has brought over a dozen legal actions against C.A.R. and organized real estate for more than two decades, yet in these cases his clients have never obtained a judgment against associations of REALTORS® except in one case on a narrow legal issue pursuant to a settlement to avoid the costs of trial.

'SOFT LANDING' CONTINUES IN CALIFORNIA HOUSING MARKET

The median price of an existing, single-family detached home in California during January 2006 was \$551,300, a 13.8 percent increase over the \$484,580 median for January 2005, C.A.R. recently reported. The January 2006 median price increased 0.5 percent compared with December's \$548,640 median price.

"The California real estate market is beginning to experience the soft landing that we expect to be the underlying dynamic driving the housing market this year," said C.A.R. Vice President and Chief Economist

Leslie Appleton-Young. "The number of homes for sale has risen to a six-month supply, which will translate into a slower rate of price appreciation than we experienced in 2005."

Closed escrow sales of existing, single-family detached homes in California totaled 500,470 in January at a seasonally adjusted annualized rate, according to information collected by C.A.R. from more than 90 local REALTOR® associations statewide. Statewide home resale activity decreased 24.1 percent from the 659,410 sales pace recorded in January 2005.

APRIL 2006 FORM REVISIONS - MEMBER REVIEW AND COMMENT PERIOD

The Standard Forms Advisory Committee has released the final drafts of the April forms for member review and comment. Drafts of the forms and their respective summaries can be found at <http://www.car.org/index.php?id=MzU5NzA=>. All comments must be submitted by 12 noon on Monday, March 13 and should be sent via e-mail to carforms@car.org, faxed to (213) 739-7283 or mailed to C.A.R., Attn: Standard Forms Dept., 525 South Virgil Ave., Los Angeles, CA 90020.

Member Legal Services has published a revised legal memorandum, [Landlocked Property](#) (March 7, 2006). It is available on Legal's [What's New](#) and the [Legal Memoranda](#) pages on C.A.R. Online. This legal memorandum has been updated for accuracy and citations have been added. However, there have been no substantive changes to the law.

Member Legal Services has published a revised legal memorandum, [Appraisal Reports: The Consumer's Right of Access](#) (March 7, 2006). It is available on Legal's [What's New](#) and the [Legal Memoranda](#) pages on C.A.R. Online. This legal memorandum has been updated for accuracy and citations have been added. However, there have been no substantive changes to the law. Several questions have been rewritten to emphasize how the law applies depending on the type of property rather than federal law vs. state law.

News from NAR

Congress Hears From REALTORS® on Bank Powers Expansion

More than 70,000 REALTORS® have responded so far to NAR President Thomas M. Stevens' Call for Action against the U.S. Office of the Comptroller of the Currency, sending more than 200,000 letters to their members of Congress expressing concern over recent OCC letters permitting two banks to develop hotels and one to own a wind energy facility. Stevens issued the CFA in mid-February. It remains in effect. To send a letter from the NAR Action Center, [click here](#). If you've already sent letters to your representative and both senators on this issue, you won't be able to send more.

FDIC to Hold NAR-Backed Hearing on Wal-Mart Bank

The Federal Deposit Insurance Corporation has scheduled two hearings on Wal-Mart's application for federal deposit insurance for the retail giant's proposed Wal-Mart Bank, a Utah industrial loan company (ILC). ILCs are state banks supervised and insured by the FDIC. NAR President Thomas M. Stevens has written FDIC Acting Chairman Martin J. Gruenberg objecting to the application as mixing banking and commerce and has asked to testify in opposition to the application. The hearings are scheduled for April 10-11 in Washington, D.C., and April 25-26 in Kansas City, Mo.

President Bush Reiterates MID Support

President George W. Bush assured attendees at a recent Tampa, Fla., political event of his support for the mortgage interest deduction. "I don't think you have to worry about the mortgage deduction not being a part of the income-tax law," he told a questioner at the event. Dramatic changes to MID were included in recommendations of the President's Advisory Panel on Federal Tax Reform, released in late 2005, which among other things called for converting the deduction to a credit and capping allowable amounts. Giving MID more scrutiny is also supported by U.S. Comptroller General David Walker, who has recommended to Congress that it provide closer oversight of MID and other tax expenditures.