

# SRCAR At A Glance

April 11, 2006

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## News from SRCAR

**A Reminder Please** – The Staff at the Association office received numerous calls each day regarding legal questions, the use of specific forms in a real estate transaction as well as how to complete the forms. As a reminder, the Staff at SRCAR are not licensed in real estate nor are they attorneys and can not provide this type of information. Please seek the guidance of your Broker or Office Manager and when necessary, please use the CAR Legal Hotline at 213-739-8282. Thank you.

**Changes to the Tuesday Marketing Meetings at SRCAR** – Although announcements have been made, no official changes have been made to the Tuesday Marketing Meetings currently. A proposal regarding changes is to be submitted to the Board of Directors in the coming weeks. Stay tuned for more details.

**Legal Update/Brown Bag Lunch Coming** – Mark your calendars to attend the next SRCAR Brown Bag Lunch on Thursday, April 27, 2006 at 11:30 a.m. Guest Host will be John Giardinelli, Counsel for the Association and the subject will be a "Legal Update". John will be leading discussion on the latest issues affecting you as real estate practitioners as well as a forms update. Seating is limited so please RSVP to the Association office at 951/894-2571. This event is open to SRCAR REALTORS® and Affiliates only. Thank you.

**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](http://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 1<sup>st</sup> through the 21<sup>st</sup> 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.

**Agency & Risk Management – Are You Safe?** – SRCAR will be presenting a class on Agency & Risk Management on Monday, May 8, 2006 at the Association Office. Registration begins at 8:30 a.m. with Class scheduled from 9:00 – 4:00 p.m. This course will be taught by John Giardinelli, Counsel for SRCAR. John will be providing you with tips on protecting yourself in this ever changing real estate environment. Cost is \$15 for REALTORS® and \$30 for All Others. This event is sponsored by Integra Funding. Seating

is limited so please contact the Association Office today at 951-894-2571. No DRE Credit is given for this class.

**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](http://www.srcar.org) in the coming weeks.

**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 949-212-7026. 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 roll up door), behind the Church's Suite, at the corner curbs (McAlby and Adams) or in the lots across the street. Your cooperation is greatly appreciated by SRCAR. 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](mailto: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](mailto: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](http://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](mailto: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.

**2<sup>nd</sup> Annual Easter Seals Benefit Scheduled – Black Mambo is back - May 13, 2006 from 6:30 to 10:00 presented by Century 21, Wright & Stuart Cellars. Cost is \$75 per person. Evening includes: Logo Glass, Two Tickets for Wine, Dinner, Music & Dancing, and Raffle – Tables of 10 can be reserved for \$1000 – Must be 21 years of age – Tax Deductible – Rain or Shine No Refunds. For more information, please call Century 21, Wright at 951/694-5300 or Stuart Cellars at 951/676-6416.**

**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](mailto: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

**REALTOR® Orientation Scheduled** – Attention New SRCAR REALTORS® - the next scheduled new member orientation will be on Friday, May 5, 2006 at the Pechanga Resort & Casino (in the Ballroom area) at 8:30 a.m. A continental breakfast will be provided. Reservations are mandatory. Please call the SRCAR office today to reserve your seat at 951/894-2571. Remember, attendance at orientation is a requirement of being a REALTOR® with SRCAR. Don't delay, register today.

# News from MRMLS

Frequently Asked Questions about Smart Trac Available On-Line at [www.imrmls.com](http://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](http://www.imrmls.com/centsite/smart_trac.htm)**

**MRMLS Computer Training** – Join the training staff from MRMLS for Computer Training on Thursday, April 20, 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 3<sup>rd</sup> 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](http://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. Please visit the MRMLS Home Page for training opportunities at [www.imrmls.com](http://www.imrmls.com).

**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](http://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](http://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

**PENDING HOME SALES INDICATE MARKET IS STABILIZING** - The latest pending home sales data tracked by NAR signal that the housing market is returning to more balanced conditions, according to a recent report. In February, the Pending Home Sales Index (PHSI), which gauges home sales activity for upcoming months based on the number of transactions that have signed contracts but are not yet closed, decreased 5.2 percent to 117.7 from the reading one year earlier. February's PHSI also fell 0.8 percent from January's upwardly revised reading of 118.6. An index of 100 or more generally indicates a high level of home sales activity.

"We can expect a historically strong housing market moving forward, earmarked by generally balanced conditions across the country and fairly stable levels of home sales with some month-to-month fluctuations," said NAR Chief Economist David Lereah. "This normalization is healthy because it is taking a lot of the pressure off of the decision process for both homebuyers and sellers -- pressure that was driving abnormal rates of price growth across much of the country over the last few years."

The PHSI declined across the nation in February. On a regional basis, the PHSI was highest in the South, where it edged down 0.1 percent from one year earlier to 129.3. In the West, the index fell 14.8 percent

to 110.9. The Midwest and Northeast regions also experienced annual declines, falling to 114.3 and 107.9, respectively.

**DENSITY BONUS BILL UP FOR CONSIDERATION THIS WEEK** - On March 21, C.A.R.-sponsored SB 1177 (Hollingsworth), "Density Bonus," was passed by the Senate Transportation and Housing Committee. This week, the bill is up for consideration on the Senate floor.

In recent years, C.A.R. has sponsored legislation to improve the use of the state's density bonus law and to make the law more easily understood and functional. SB 1177 aims to prohibit local governments from examining the financial records of housing developers seeking a density bonus when they apply for a waiver or reduction in development standards. When developers are required to open their records to local governments in order to prove that a waiver or modification of development standards is necessary, local governments then have the opportunity to dictate the developers' profit, as well as the type of appliances, marketing strategies and design styles that should be included in the development. Additionally, because local governments are not financially contributing to the subdivision, they should not have the right to inspect the financial records. The bill's author recently amended it to clarify the intent of how a waiver or concession will be accounted.

**CELL PHONES PRESENT BENEFITS, CHALLENGES TO AMERICANS** - Mobile technologies have become an essential communication tool for many Americans, presenting both benefits and challenges for cell phone users, according to a recent study by the Pew Internet & American Life Project. While nearly 75 percent of Americans who own cell phones report they have used their hand-held devices to get help during an emergency, many also report challenges associated with cell phone use. For example, 28 percent of cell phone users admit they find it difficult to drive safely while using their phones. Additionally, 82 percent of Americans and 86 percent of cell phone users report being irritated when others talk on mobile devices in public places.

Mobile technologies also have impacted the way Americans spend their free time. More than 40 percent of cell phone users make phone calls while they are traveling or waiting for someone, and 44 percent admit they wait to make their phone calls until periods when their "anytime minutes" will not be used.

Member Legal Services has published a revised legal memorandum, [The Americans with Disabilities Act of 1990 \(Summary\)](#) (April 4, 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 and cites have been added. The only substantive change occurs in the introduction with the fact that a violation of the ADA is a violation of the Unruh Civil Rights Act.

## News from NAR

**NAR Takes Issue with Good Morning America Segment** - NAR President Thomas M. Stevens is asking the producers of ABC TV'S Good Morning America for equal time after the show ran a misleading and misinformed consumer-advice segment about real estate practitioners. The segment, which aired March 24 under the title, "Tricks of the Trade: Confessions of a REALTOR®," claims consumers shouldn't trust everything practitioners say. The segment "gave a very inaccurate, grossly misleading and unfair depiction of the nation's REALTORS®," says Stevens. "Several of the allegations made by the guest described practices that violate the REALTOR® Code of Ethics, such as intentionally misrepresenting a property and could be grounds for suspension of membership. Because of the Code, all REALTORS® know such behavior is wrong." Stevens called upon the producers to balance the show's coverage by giving REALTORS® the chance to respond.

**Latest NAR TV Ads Encourage Sellers to Tap Pros** - NAR this week premieres television advertising spots titled, "Don't Try This at Home," which encourage home sellers to protect what could be their largest investment by enlisting the help of a professional. Home owners who try to sell their home without professional help must overcome a number of hurdles, the ads say. As mentioned in the spots, the

obstacles include making the appropriate disclosures, preparing the home for sale, pricing the home appropriately for a dynamic market and, most importantly, attracting qualified, motivated buyers.

**NAR 2005 Annual Report Now Available** - Last year was a pivotal year for the national association: it marked another one-year victory keeping banks out of real estate and made major progress toward landmark passage of small business health plans, among dozens of other public policy victories, both large and small. NAR and its members also contributed millions of dollars to tsunami and hurricane relief last year. Catch up on all the activities your association undertook on your behalf in 2005, from the launch of its latest REALTOR Benefits(sm) Partners like The Pacific Institute to innovations in its knowledge management vehicles like REALTOR.org, among hundreds of others. In all, association benefits help each REALTOR® member earn more than \$32,000 in additional income over 10 years than they would if they were not a member of NAR, according to a quantitative analysis on the value of NAR Membership conducted in 2005 by absoluteBRAND LLC, an independent, international brand valuation firm.

**President Signs Bill Raising National Flood Insurance Authority** - President George W. Bush last week signed NAR-backed legislation hiking borrowing authority for the National Flood Insurance Program to \$20.8 billion from about \$18.5 billion. With the additional authority, the program is expected to have sufficient funds to pay claims through part of May. Program reforms are now expected to follow and could be passed this spring. A number of House and Senate members tied their support for the increase to reforms, many of which NAR supports. The House Committee on Financial Services passed H.R. 4973, the Flood Insurance Reform and Modernization Act of 2006, earlier this month, and the Senate Committee on Banking, Housing and Urban Affairs is drafting its own bill. The House and Senate will need to agree on reform legislation before the NFIP runs out of money again and seeks additional borrowing authority in May. NAR will continue to work with Congress on this issue.

**Say No to FDIC Approval of Wal-Mart Bank** -NAR last week urged the FDIC not to approve an application by Wal-Mart for federal deposit insurance for a proposed industrial loan company, a type of bank. NAR President Tom Stevens will also present oral testimony at the FDIC hearing on the application, saying it would set a dangerous precedent for eroding U.S. policy against mixing banking and commerce, among other things. To read a summary of Stevens' upcoming testimony, [click here](#).

NAR in comments last week praised federal banking and credit union regulatory agencies for their proposed guidelines on nontraditional products like interest-only mortgages, but cautioned the agencies against imposing such strict limits that some households would be denied homeownership opportunities. Lenders should be able to make nontraditional mortgages to a wide range of borrowers if they have reasonable, documented basis that borrowers would be able to meet their obligations, NAR says.

A buyer who won her lawsuit against an escrow company for breach of fiduciary duty is entitled to recovery of some of her attorney's fees, because the damages were contract-based, the California Court of Appeal, Second District, ruled, reversing the trial court decision and sending the case back for further proceedings. To read a summary of the case in The Letter of the Law, NAR's online legal newsletter, [click here](#).