

SRCAR At A Glance

September 12, 2006



News from SRCAR

Website Update – Have you taken a few moments to visit the Association's website at www.srcar.org? If not, please do so today. Lots of new and enhance items are there for your information on the Southwest Riverside County Association of REALTORS®. Comments regarding the site and its features can be directed to Daniel Brincat, IT Manager (Daniel@srcar.org) at the Association office.

Matrix System is Coming – In early fourth quarter 2006 (October 3, 2006), MRMLS will transition from IMRMLS to MRMLS Matrix. All entry of listings will occur in our new Matrix program at that time. As a result, MRMLS would like to officially reintroduce MRMLS Matrix, the new state-of-the-art Web-based MLS system. Overview classes are available, but space is limited, so sign up now!

Go to <http://www.imrmls.com/centsite/training.html> to sign up for training. The next class offered at the Association office will be on Thursday, September 21, 2006. **The training schedule is as follows: Listing Upload – Matrix (10-12), Matrix Overview (1-2:30) and SmartMap (2:45-3:45).** Seating is limited so please RSVP today with your Association office at 951-894-2571. Thank you.

As a reminder, when the Matrix System becomes the primary system, the history from the previous system will be transferred over. Unfortunately, your prospects will not and you will need to set up this feature in the Matrix System.

Auto Pay to Discontinue January 1, 2007 – If you currently have a credit card authorization on file with the Association of REALTORS® to pay your quarterly MLS Dues and Lockbox Fees, please be advised that as of January 1, 2007, this service will no longer be available. Dues can be made via the Association's website at www.srcar.org – it is safe and secure and a receipt will be issued to you immediately. You can pay using your Visa, MasterCard, American Express and Discover Credit Cards. Debit cards will also be accepted provided they have the Visa or MasterCard logo on them. If you have any questions, please do not hesitate to contact a member of your Association Staff at 951-894-2571. Thank you.

Tuesday MLS Marketing Meeting Has Moved – As a reminder, the Tuesday MLS Marketing Meeting has moved to the Temeku Theatres in Temecula (near K-Mart). The meeting begins at 8:30 a.m. with Beverages & Breakfast provided by one of our Great SRCAR Affiliates and their company. The meeting is hosted by a member of the Board of Directors and Bernie Thomas.

Any listings Members wish to be included on the caravan for the Tuesday Marketing Meeting preview must have the listing in the "Agent Open House" section of the MLS by 7:30 a.m. the Tuesday of the caravan. Any listings received after the stated time may not be included in the printed caravan sheet that is distributed at the Tuesday meeting. Copies of the printed caravan sheet will be made available either at the Tuesday Marketing Meeting or at the Association office.

Members who have properties on the weekly tour and who are attending the Marketing Meeting are asked to sit in the first few rows at the Theatre so that promoting your listings during the meeting will be easier to pass the microphone.

Members are urged to place photos of their properties on their listings so that they maybe highlighted at the tour meeting when the properties are scheduled for tour. Any questions about placing properties on tour can be directed to the SRCAR Staff at the Association office at 951-84-2571. Thank you.

Short Sale/Foreclosure Class Coming Soon – Need to understand Short Sales and Foreclosures? Then join us on Thursday, September 14, 2006 from 1:00 to 2:30 p.m. at your Association Office. This is a fee event. Please contact Leslie Smith at your Association office at 951-894-2571 for additional information. Thank you.

Brown Bag Lunch with John Giardinelli – Are you having a difficult transaction and need a legal question answered? Do you have a legal question on one of the many C.A.R. forms? Want an update on the latest changes to forms and contracts? Want to know what is on the horizon? Then join SRCAR Legal Counsel John Giardinelli on Friday, September 15, 2006 at 11:30 a.m. in your Association Office for a “Free” Brown Bag Lunch. This event is “FREE” and available only to REALTOR® and Affiliates of SRCAR only. Seating is limited so please contact your Association office today at 951-894-2571 to reserve your seat today. Remember, since this is a working lunch; please bring your own lunch.

A Reminder Please – The Staff at your Association office is receiving 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.

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 951-699-3199 or by cell at 949-212-7026. 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 mls@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 mls@srcar.org. Thank you.

New Email Address for the Supra/Lockbox Department at SRCAR – A new email address has been established at the Association office for questions, comments and concerns regarding the Supra Keys & Lockbox Department. The email address is: suprakeys@srcar.org. Michele Medley from the Association office is currently the staff administrator in this area. Michele can be reached at 951-894-2571. 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 or mlsviolations@srcar.org
- MLS Citations & Fine Policy Department Toll Free Number @ 800/919-1008
- Membership Department Fax Number at SRCAR @ 951/253-4795 or membership@srcar.org
- MLS Department Fax Number at SRCAR @ 951/572-3721 or mls@srcar.org
- Grievance & Professional Standards (aka Complaint) Department Toll Free Number @ 800-446-3646
- Supra/Lockbox Department at SRCAR @ 951-894-2571 or suprakeys@srcar.org

News from MRMLS

MRMLS Computer Training – Join the training staff from MRMLS for Computer Training on Thursday, September 21, 2006 for the following classes:

- Listing Upload – Matrix (10-12)
- Matrix Overview (1-2:30)
- SmartMap (2:45-3:45)

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.

“Wow—I didn't know MRMLS Matrix did that!”

After training thousands of your fellow agents and brokers, the MRMLS staff has compiled a list of “Wow” capabilities for the new MRMLS Matrix system. You may or may not know MRMLS Matrix could do these things, but to make the list, someone literally had to say “Wow” or words to that affect, when they saw the new technology in action.

Top 10 “Wow” moments from the MRMLS Matrix class:

1. **Reverse Prospecting:** Know which buyer's searches matched your listed property and view the buyer's agent contact information
2. **Photos:** Upload up to 20 photos per listing and MRMLS Matrix will automatically resize them. (Now you can print six per page instead of a slide show)
3. **Mapping:** Display multiple properties on the same map, resize and print the map
4. **Customizable Email:** Looking to set yourself apart? Customize the header, footer, and signature of email sent through MRMLS Matrix
5. **Auto Email:** Set the frequency and exact schedule of when listings matching your criteria are automatically sent to your clients
6. **Email History:** Is anybody reading your mailings? Find out if and when a client viewed each property mailing, and view the actual listing sent
7. **Reports:** Email any printed report to a client and/or export any display to Excel

8. **On-The-Fly Search Revisions:** Add or remove search criteria and search again without having to start over with a new search
9. **Hot Searches:** Saved searches appear on your Home Tab; just click to get new market activity for that search
10. **CMA:** Save/keep an unlimited number of CMAs (Comparative Market Analysis)

(Go Online to see the "Best of the Rest" of the "Wow" Moments at: <http://news.imrms.com>)

News from CAR

Corporate Legal Services has published a revised legal article, [Disciplinary Action Implementation Guidelines](#) (September 7, 2006). It is available on Legal's [Ethics/Board Arbitration](#) page on *C.A.R. Online*.

This legal article has been updated to reflect the current NAR rules and policies. The guidelines are intended to aid both members and boards/associations in the implementation of the California Code of Ethics and Arbitration Manual. Each topic in the Table of Contents contains (internal) links to the appropriate text in the article.

Every REALTOR® is entered into the National REALTORS® Database System (NRDS) and assigned a NRDS (pronounced "nerds") number when they become a member of organized real estate. Knowing your NRDS number is essential for accessing the perks available only to REALTORS®.

Your NRDS number is the gateway to numerous member benefits, including WINForms® Desktop and WINForms Online®, the electronic forms software providing the latest C.A.R. standard forms needed to complete a real estate transaction; confidential legal advice available through C.A.R.'s Legal Hotline; assistance from real estate technology experts through C.A.R.'s Tech Hotline; current housing market data compiled by C.A.R.'s research and economics staff, available in the Economics section of C.A.R. Online; and much more.

The simplest way to find your nine-digit NRDS ID is to log on to C.A.R. Online (www.car.org) and click on "Sign In," located at the top of the screen. The sign-in box that appears gives you the option to search for your member number by first and last name. If you still have trouble determining your unique ID, you also can look at the address label of your *California Real Estate* magazine; the nine digits located above your name make up your NRDS number. Another option is to call your local association for additional help.

LEGAL Q&A ON RESPA AND REFERRALS AVAILABLE - California Insurance Commissioner John Garamendi recently announced a major investigation into illegal kickback practices by certain title insurance companies. He claims that these insurers wrongfully pay for referral business using elaborate "captive reinsurance" schemes funded by premiums paid by consumers. Commissioner Garamendi's investigation includes not only title companies, but he has also issued subpoenas to certain real estate brokerages, lenders, and developers. REALTORS® are reminded that California law prohibits real estate agents from claiming, demanding, or receiving any fee for referring a customer to a title insurance company, escrow agent, structural pest control firm, or home protection company. The federal Real Estate Settlement Procedures Act (RESPA) further limits referral arrangements.

Aside from relationships with title insurance companies, in this climate, brokers who have any affiliated business relationships or other joint venture arrangements should be sure they comply with the law as these structures are under more scrutiny from both enforcement authorities and private parties. Business relationships operating as pure referral payment mechanisms for certain services or reports may not be legal and may violate secret profit prohibitions for agents under some circumstances. Brokers and agents are advised to have any such arrangement reviewed by an attorney knowledgeable about RESPA and California real estate law.

For more information, C.A.R.'s Legal Department has newly revised its legal memorandum for members titled Referral Arrangements. C.A.R. members may also contact C.A.R.'s Member Legal Hotline at (213) 739-8282, or for office managers, broker/owners, and designated REALTORS®, call (213) 739-8350. Access to Member Legal Hotline is also available through C.A.R. Online at <http://www.car.org/index.php?id= NTK2>.

More info: <http://www.car.org/index.php?id=MzQ3OTg>

C.A.R. ENDS THE 2005-2006 LEGISLATIVE SESSION WITH THREE SPONSORED BILLS ON THE GOVERNOR'S DESK FOR SIGNATURE!

C.A.R. Sponsored Legislation:

AB 1963 (Leslie) Real Estate Brokers License -- Existing law requires most applicants for a brokers license, in addition to exam passage, to demonstrate a valid salespersons license and two years experience in general real estate. Current law also provides that the Real Estate Commissioner may grant a license to an applicant without real estate experience who has a degree from a 4-year college or university. C.A.R. is sponsoring AB 1963 to require the same two years of "general real estate" experience for these "degree brokers." This bill will not change the other mechanisms for demonstrating equivalency such as an individualized petition by a licensee from another state for recognition of his or her experience.

Status: AB 1963 is currently on the Governor's Desk awaiting action.

AB 2429 (Negrete McLeod) Real Estate Salesperson Licensure -- Existing law provides two ways to qualify for a real estate salesperson license. The first option requires an applicant to take three real estate classes and then pass the salesperson exam to receive a four-year license. In the second option, an applicant takes only one class and then takes the exam. Should the applicant pass, they obtain a "conditional" license and may finish the rest of the required course work during the next 18 months of licensure while they engage in licensed real estate activity. AB 2429 will require all salesperson applicants, after September 31, 2007, to complete all three of their pre-license courses prior to taking the license examination. The Department of Real Estate reports that 85 percent of new licensees came in under the conditional license option. AB 2429 will increase the foundational knowledge of sales licensees entering the profession.

Status: AB 2429 is currently on the Governor's Desk awaiting action.

AB 2511 (Jones) Land Use Housing -- C.A.R. is co-sponsoring AB 2511 which would amend the Permit Streamlining Act to apply to subdivisions with 49 percent of affordable housing, rather than the current requirement of 100 percent, and mandates that local governments report to the state on their housing production in an effort to make sure that they can accommodate their share of the regional housing need for the ensuing 5 years. AB 2511 provides judicial relief for those who challenge local governments that refuse to disclose their plan for meeting the regional housing need to the Department of Housing and Community Development and would require the plaintiff to inform the Attorney General should a plaintiff sue the city or county alleging that government is not in compliance with state law. Additionally, the measure would clean-up the no-net-loss housing law by increasing enforcement options, and it would rename the "anti-NIMBY" law the "Housing Accountability Act," while repealing the granny flat law (which is not used due to state law on "second" units). Developers should be able to rely on the standards throughout the local government review process and not have the rules arbitrarily changed during the process.

Status: AB 2511 is currently on the Governor's Desk awaiting action.

OTHER LEGISLATION OF INTEREST

AB 1169 (Torrico) 60 Day Notice to Terminate Tenancy -- This measure was amended in February of 2006 while in the Senate, and contains provisions similar to SB 51 that was defeated on the Assembly Floor by C.A.R. last year. Despite C.A.R.'s best efforts AB 1169 passed by the entire Assembly. AB 1169 would reinstate the 60-day notice until January 1, 2010. C.A.R. opposes the measure because landlords need the ability to terminate tenancies of tenants causing problems as soon as practicably possible in order to preserve the "quiet enjoyment" of the premises to the benefit of all tenants. C.A.R. is actively seeking a veto from the Governor.

Status: AB 1169 is currently on the Governor's Desk awaiting action.

C.A.R.'s Position: Oppose

AB 2962 (Benoit) Real Estate Withholding Requirements - - Existing law requires that the Franchise Tax Board

hold 3 and 1/3% of the total sales price in all real property transactions to cover the tax on the gain to the seller of the property. This bill would instead allow home sellers to choose the option of having the amount withheld equal the actual gain on the sale multiplied by the maximum applicable tax rate. C.A.R. supports AB 2962 because the current system often promotes over-withholding since the amount withheld does not reflect the actual taxes due on the sale of the property; this measure would correct that defect.

Status: AB 2962 is currently on the Governor's Desk awaiting action.

C.A.R.'s Position: Support

SB 521 (Torlakson) Contra Costa County Recording Fees - This bill would have authorized Contra Costa County to impose a document recording fee of \$1 per page after the first page on the recordation of documents. The revenue collected would be used for the development of affordable housing for very low, lower and moderate income households. C.A.R. has historically viewed document recording fees as a "transfer tax" if they apply to the recording of documents facilitating the transfer of property. C.A.R. opposed SB 521 because it imposed a document recording fee without exempting documents already subject to the documentary transfer tax, and because the funds generated by the document recording fee would be used for purposes which bear no relation to document recording. C.A.R. initially defeated SB 521 on the floor. However, the author amended the bill this week to remove C.A.R.'s opposition, and the bill no longer imposes document recording fees on real estate transfer documents.

Status: On the last day of the legislative session SB 521 was placed on the Assembly's Inactive File, and effectively failed passage of the Assembly.

C.A.R.'s Position: Watch as Amended

SB 1676 (Ducheny) Condominium Conversion Rent Control -- SB 1676 proposes to amend the existing state condominium conversion law to require property owners to evict tenants only for just cause (e.g., non-payment of rent), and further prohibits property owners from raising rent on any unit being converted during the last 6 months of the conversion. C.A.R. opposes SB 1676 because it will encourage property owners to keep vacant rental units vacant during the final year before conversion to avoid this burdensome requirement. Additionally, owners would be barred from increasing rents should their costs rise, making the law on these units more restrictive than those laws imposed in rent control communities. C.A.R. defeated SB 1676, by a narrow margin, on the Assembly floor on the last day of session!

Status: SB 1676 failed passage of the Assembly on August 31.

C.A.R.'s Position: Oppose

REALTOR® Night Out Contest - Register for the California REALTOR® EXPO 2006 and purchase a ticket for the REALTOR® Night Out event, and your name will automatically be entered into a drawing for: an iPod 60GB with an iHome iH6 Clock Radio for iPod; a Nintendo DS Lite handheld video game system with \$100 worth of games; or a fish-themed bowling ball and retro bowling ball bag. If you previously purchased a ticket for the REALTOR® Night Out event, then you're already entered into the contest.

Entrants must register for the California REALTOR® EXPO 2006 and purchase a ticket for the REALTOR® Night Out event on or before 11:59 p.m. on September 15, 2006 to participate. For information on how to register, [click here](#). One entry per registrant.

Winners will be selected randomly on October 13, 2006 and will be announced at the REALTOR® Night Out event on October 18, 2006. Winner need not be present at announcement to win. If winner is not present, the prize will be sent via regular mail by November 10, 2006 to the winner's business address.

One prize per registrant. Winners are ineligible to win any other prizes in the contest.

A registrant will be ineligible to participate in the contest if he or she requests or receives a REALTOR® Night Out event ticket refund prior to the event.

Prizes:

- Grand prize: iPod 60GB, iHome iH5 Clock Radio for iPod (retail value: approx. \$500)
- Second prizes (2): Nintendo DS Lite with \$100 worth of games (retail value: approx. \$230)
- Third prizes (3): Fish-themed bowling ball* & retro bowling ball bag (retail value: approx. \$150)

**Bowling ball comes undrilled and must be taken to a bowling pro-shop for finger hole drilling. Winner is responsible for all drilling fees.*

California REALTOR® EXPO 2006, the state's largest real estate trade show, draws thousands of California's key franchise execs, top producers, and movers and shakers every year for educational, networking and professional development opportunities. In addition, hundreds of top industry vendors and service providers showcase their latest products and information in the Exhibit Hall. And, a special pre-EXPO event, Tech Tuesday, features a full day of comprehensive training geared toward assisting today's REALTOR® to stay on the cutting edge of real estate technology.

Don't miss your chance to hone your professional knowledge and network with peers at the California REALTOR® EXPO 2006 at the Long Beach Convention Center. **October 17 - 19, 2006 at the Long Beach Convention Center.**

News from NAR

OCC Preemption Rule Circumvents States, NAR Tells Supreme Court - The U.S. Office of the Comptroller of the Currency is misinterpreting federal law and unlawfully preempting states' right to oversee mortgage lenders and other state-chartered corporations that are wholly subsidiaries of national banks, NAR tells the U.S. Supreme Court in a brief it filed last week. The OCC issued rules in 2004 contending it, and not states, has exclusive authority to oversee state-chartered corporations like mortgage lenders if they're operated as subsidiaries of national banks. States have historically maintained what's known as "visitorial powers" over state-chartered corporations that are engaged in lending activity, so the OCC rules mark a change in established practice. In a friend-of-the-court briefing it filed with the U.S. Supreme Court, NAR argues that Congress in the National Bank Act clearly limited the OCC's exclusive visitorial powers to national banks and did not extend that authority to bank subsidiaries. To access a summary of NAR's brief, [click here](#).

NAHB Has Standing to Bring Fair Housing Act Lawsuit - The National Association of Home Builders has standing to bring a lawsuit against the City of Kyle, Texas, for allegedly violating the federal Fair Housing Act, the United States District Court for the Western District of Texas has ruled. New zoning ordinances of the city that require, among other things, minimum lot size, a specified garage size, and a masonry exterior, have a disproportionately adverse effect on minorities because the ordinances increase the price of entry-level housing, making it difficult for builders to tap NAHB's programs to provide affordable housing. To read a summary of the case in The Letter of the Law, [click here](#).

NAR Joins National Disaster Preparedness Effort - NAR has joined the U.S. Department of Homeland Security to launch National Preparedness Month 2006, a nationwide effort in September to encourage Americans to prepare for emergencies of all kinds. To help its members stay on the forefront of preparedness, NAR has also created a disaster planning task force made up of REALTORS® and is planning a natural disaster symposium in Washington, D.C., on Sept. 18, where participants will discuss the need for a federal natural disaster insurance program, as well as the need to plan and be ready for such disasters. "We believe in the importance of educating individuals on the potential life saving steps that can be taken to ensure the safety of families in the event of a natural disaster or terrorist threat," says NAR 2006 President Thomas M. Stevens. To access a DHS site with information on preparedness, [click here](#).

Pending Home Sales Index Points to Easing Market - Home sales should be leveling out in the months ahead at a lower pace, according to an index based on pending home sales, a leading indicator for the housing market published by NAR. The Pending Home Sales Index, based on contracts signed in July, is down 7 percent to a level of 105.6 from a downwardly revised reading of 113.5 in June.

Update: Katrina Impact on Gulf Coast Real Estate - A year after the devastating hurricane, markets are rebounding, although progress isn't consistent among all hard-hit areas. To get a snapshot view by some real estate professionals in the area, [click here](#). To learn how NAR's 2006 Conference & Expo in New Orleans is shaping up, [click here](#).

Former Presidents Bush, Clinton to Speak at NAR Conference -Joining REALTORS® at the site of the most destructive hurricane ever on U.S. soil will be former presidents George H.W. Bush and William Clinton. They'll take the

stage during the General Session at the 2006 REALTORS® Conference & Expo in New Orleans. Presidents Bush and Clinton -- who worked together on relief efforts after the 2004 South Asian tsunami and again after Hurricane Katrina in 2005 -- will talk about their Katrina relief efforts. The Bush-Clinton Katrina Fund has raised more than \$100 million to date and has so far announced \$40 million in grants to the affected states and \$30 million in grants to higher education institutions that were devastated by Katrina, the presidents' foundation Web site says. REALTORS® and others in the real estate community have stepped up to the plate, too, contributing some \$18 million to the REALTOR® Relief Foundation, American Red Cross, United Way, and other charities to help storm victims. Also at the General Session, NAR 2006 President Thomas M. Stevens will give his industry address and recognize the outstanding achievements of REALTORS®. The General Session is Saturday, Nov. 11, 4-6 p.m. For more on the conference, [click here](#). To register online, [click here](#).