

I.W.V. REAL ESTATE VIEWS

Published by the Ridgecrest Area Association of Realtors®, Inc.
Volume 6, No. 1

January 2007

◆ INSIDE THIS ISSUE

From the President

January Events Calendar

New or Revised C.A.R. Legal Memoranda

New Laws Affecting REALTORS® IN 2007

JANUARY – FEBRUARY EVENTS CALENDAR

New Years Day, January 1, Association Office Closed

MLS Committee Meeting, Wednesday, January 10, 10:00 a.m., Association Office

C.A.R. Directors/Business Meetings, Monterey, Wednesday, January 17 through Saturday, January 20. Association office will be open during regular business hours.

Board of Directors Meetings, Tuesday, January 23, 12 noon, Association Office

General Membership Meeting & Luncheon, Wednesday, January 31, 12 noon, El Charro Avitia. Sponsored by AltaOne Federal Credit Union, and First American Title Co. CAR Directors Meeting Reports given by President Joette Chantler and President Elect David Eriksen, and a short real estate loan program given by Darla Patterson for AltaOne Federal Credit Union, and an MLS update by Debbie Ball, MLS Committee chair.

Code of Ethics/Orientation Class, Wednesday, February 28, 9 a.m., location to be announced later. Sponsor needed.

FROM THE PRESIDENT

I look forward to serving as your 2007 President and would like to extend my best wishes to each and every one of you for a successful and prosperous new year.

David Eriksen and I will be heading north to Monterey for the winter directors meeting on January 16th thru January 20th. We will do our very best to represent our association at these meetings. We will report back to you on the latest CAR updates on January 31. Please make sure that you call the Association office ASAP to make a reservation for the luncheon and business meeting. I want to thank AltaOne Federal Credit Union and First American Title for co-sponsoring this event. Where would we be without our wonderful and faithful affiliate members. They were so great in stepping up for the local REALTORS® at the installation in November.

I want to welcome new members Virginia Bundy, REALTOR® Member, Wil Bundy's Real Estate; James Pinkerton, MLS Broker Participant, RE/MAX Golden Empire; Affiliate Mary Hanawalt, Marketing Representative, Paradise Funding; John Lundy, MLS Broker Participant, Smart Money Financial; Daniel Halkyard, Appraiser; Socorro Soria, MLS Broker Participant, Peoples Home Loan & Realty, Inc., and Tamar Tibbs, MLS Broker Participant, Garden Homes.

Local contributions to the 2007 C.A.R. REALTOR® Action Fund have been made by 31 out of 53 of our renewing REALTOR® members. That's only 58% of renewing members. Let's get those numbers up. The funds pay for lobbyists to protect the public and REALTOR® interest in Sacramento.

Lots of new and exciting changes will be taking place this year with our new Rapattoni MLS, I look forward to working with the Board of Directors and the MLS Committee on getting us all on board with the new system. Hear more about it at the General Membership Meeting and luncheon on Wednesday, January 31. (Continued on page 2)

I.W.V. Real Estate Views

Published by the Ridgecrest Area Association of Realtors, Inc.

815 N. Downs St., Suite D

Ridgecrest, CA 93555-3386

760 384-4070 Fax 760 384-4071

email raar@mchsi.com website ridgecrestaor.com

(President's column continued from page 1.)

I would like to take a moment to thank the Board of Directors, Committee Chairpersons and committee members for giving of your time to serve our association. Please don't hesitate to call on me with any questions or concerns you may have.

Sincerely,

Joette Chantler, President

NEW LAWS AFFECTING REALTORS® IN 2007

AB790, License revocation for advertising false credentials: Beginning Jan. 1, 2007, the real estate commissioner may revoke, suspend, or deny the license of anyone who falsely advertises his or her credential, including special certifications or membership in a trade organization. This law aims to protect consumers from unscrupulous and fraudulent lending practices.

AB2800, Anti-discrimination provisions expand to conform with the California Fair Employment and Housing Act: Currently, various provisions of state law prohibit discrimination in housing, including real estate licensure, mortgage lending, club membership, development projects, and community redevelopment. Under current law, these provisions prohibit discrimination on the basis of race, color, gender, religion, or marital status. Beginning Jan. 1, 2007, the following bases will be added so that these provisions comply with the Fair Employment and housing Act: national origin, ancestry, familial status, disability, and sexual orientation.

AB2429, No more conditional salesperson license: Starting October 1, 2007, a person must complete three real estate classes before applying for the real estate salesperson exam. Exempt from this requirement are attorneys and those qualified to take the broker exam.

60-day notice to terminate revived: Beginning Jan. 1, 2007, a residential landlord must generally give a 60-day notice to terminate a month-to-month tenant. However, a 30-day notice to terminate is permissible if any tenant or resident has lived in the property for less than one year, or if the

landlord has sold the property in the manner specified by law. The 60-day notice does not apply to fixed-term leases (e.g., a one-year lease). It also does not apply if it is the tenant, not the landlord, who terminates a month-to-month agreement, in which case the tenant may give a 30-day notice. C.A.R. will release a new standard form 60-day notice, of termination, which will also set forth the requirements for the 30-day exception when the landlords sell their property. This law will sunset on Dec. 31, 2009.

NEW OR REVISED C.A.R. LEGAL ARTICLES OR MEMORANDA

(Available on Legal's [What's New](#) and the [Legal Memoranda](#) pages on [C.A.R. Online](#) @ [www.car.org](#).)

[The Duty to Arbitrate When REALTORS® Are Acting Solely as Principals in a Real Estate Transaction](#) (September 26, 2006). This legal article has been revised for accuracy and updated. A link has been added to the Article 17 Case Interpretations of the NAR Code of Ethics.

[Firestorms: Basic Real Estate Legal Issues](#) (September 28, 2006.) This legal article has been review for accuracy and updated. A link has been added to the Internal Revenue Code and citations were added.

[MLS Listings May Be Open to the Public: Listing Agents Beware of Liability](#) (October 3, 2006). This new legal article addresses the liability issues of statements made on the MLS describing the property in this era of online access to the MLS by the public.

[2007 New Laws Passed by the California Legislature Affecting REALTORS®](#) (October 10, 2006). This summary of the 2007 new laws contains all the California Senate and Assembly bills already signed into to law by the governor that may impact our members.

[Relisting or "Churning" a Listing](#) (October 10, 2006). This article addresses the problems and issues involved in "churning" a listing, that is removing a listing from the MLS and then shortly thereafter putting it back on the MLS to appear as a new listing.

I.W.V. REAL ESTATE VIEWS

Published by the Ridgecrest Area Association of Realtors®, Inc.
Volume 6, No. 1

January 2007

NEW OR REVISED C.A.R. LEGAL ARTICLES OR MEMORANDA CONTINUED

Mold and Its' Impact on Real Estate Transactions (November 7, 2006). This article has been reviewed for accuracy and updated. Several links have been added to the CDHS providing the status of the CDHS process in establishing methods of identifying and remediating fungal contamination. The CDHS has not adopted permissible exposure limits to mold in indoor environments nor has it created the tenant booklet mentioned in the Toxic Mold protection Act of 2001 ("Mold Act). Many of the provisions of the law are contingent upon the adoption of exposure limits; thus, most of the provisions of the Mold Act are still not in effect.

Limited Liability Companies in California (November 16, 2006). This article has been reviewed for accuracy and updated. Legal citations and several helpful links to additional information as well as LLC forms have been added. Question 12 has been added explaining the basic difference between LLCs and LLPs. Real estate officers/brokers under existing law may not be structured as LLCs.

Do-Not-Call Laws Affecting REALTORS® (November 21, 2006). This article supersedes the one call "Advertising by Telephone, Fax and E-mail." The main focus is on the do-not-call rules for telephone solicitations, the article also covers the current status of the law on the do-not-fax and do-not-email rules. Delete any copies of the old legal article you keep in your files.

Short Sales (November 28, 2006). This article supersedes the one called "Short Payoffs." The article has been vastly changed with additional information provided regarding deficiency judgments. This article also includes a list of items required by lenders in order to consider a short sale as a viable alternative to foreclosure. Several links and citations have been added to the article.

Legal Update, January 10, 2007. This update provides a summary of several new laws passed by the California legislature as well as several recent appellate cases affecting the real estate industry.

Licensing Guide for REALTORS®. This comprehensive and detailed new article covers the licensing rules for real estate brokers, real estate salespersons, MOG licenses, PRLS licenses, real estate corporate brokers, the exemptions from licensing and many other topics.

License Application and Renewal for REALTORS. With all the changes to the real estate licensing laws this year and last, there may be some confusion regarding the requirements for obtaining and renewing real estate licenses. This article covers all the current requirements and the changes effective July 1, 2007 and also October 1, 2007.

Continuing Education Chart for REALTORS®. This chart has been updated to include the new licensing requirements resulting from passage of AB2429. The new law eliminated conditional licenses only for those licensees whose application for a license or exam are received by the DRE on or after October 1, 2007.

2007 Board of Directors

Joette Chantler, President

David Eriksen, President Elect

Dru Hawkins, Treasurer

Renee Whitman, Secretary

Anna Marie Bergens, Director

Kaye Glasco, Director

Vicki Rizzardini, Director

Robert Murphy, Immediate Past President