

e-Professional Edge

A Publication of the Winston-Salem Regional Association of REALTORS®

April 2003

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I would like to use the column this month to convince all of you that contributing a few dollars to RPAC is a smart way to invest in your business. RPAC is the muscle behind the National Association of Realtors. RPAC helps to elect officials at the national, state, and local levels who support the free enterprise system and private property rights. 100% of your contribution is used to elect pro-Realtor candidates, with 30% going to national races, and 70% focusing on state and local elections. RPAC has a bi-partisan tradition, contributing 60% of its funds to Republicans and 40% to

Democrats. Your contribution to RPAC is a vote for a pro-Realtor Congress, regardless of political party.

Some of you might think that RPAC is “buying” votes from politicians. RPAC helps elect candidates who share our philosophy, or will at least listen to the Realtor viewpoint. RPAC supported candidates will not always support us on every vote, but they will be fully informed on our position before voting. Even though RPAC has been successful in the past, new legislation is constantly being introduced. We must remain strong and ready to assist candidates at all levels that support our point of view.

What has RPAC done for you lately? In the last few years, on a national level, RPAC has helped to preserve the home mortgage interest deduction, promoted tax relief benefiting the real estate industry and improved federal mortgage programs. On the state level, RPAC has helped with homeowner's insurance relief, prevented new taxes on homeownership and also helped to amend a potentially harmful telemarketing bill. Given the current budget crisis, new challenges for 2003 include fighting state legislation to impose a sales tax on services and opposing any local transfer taxes or impact fees.

Now the close! What do I want from you? At the very minimum please invest \$20 in RPAC this year, about five cents a day, not a lot to protect your livelihood. This amount will enter you into the RPAC's “All-American Dream” Sweepstakes! You could win a week at a guest ranch in Big Sky, Montana, two tickets to the 2004 Super Bowl in Houston, Texas, or even a seven day cruise to Alaska. If you invest \$99 or more, you will be recognized both locally and at the state level. Last year, with the leadership of Paul McGill as RPAC Chairperson, we collected over \$21,000, 137% more than our goal, a record-breaking year! This year Tonda Burr and Carol Hudson have agreed to Co-Chair the RPAC Committee, and with your support I am sure we will do even better!

Governmental Affairs Report

By Chuck Folds

Winston-Salem Regional Association of Realtors Government Affairs Report April 2003

Net Revenue Effects of Residential Construction in Forsyth and Davie Counties- Econ Professor from UNC-Charlotte Presents His Findings at Joint Legislative Committee Meeting:

In last weeks Joint Legislative Committee meeting, which also included members of the Board of Directors from the Realtor and Home Builder Associations, Dr. John Connaughton presented his findings of a study of the economic impact of single family residential construction in Forsyth and Davie Counties. The impacts were measured in terms of changes in the counties' annual output, employment, tax revenue, and public costs. The report concludes that the construction and occupancy of single family homes increases revenue for the counties above the increase in costs. In fact, this economic activity is a significant contributor to the overall local economy by also increasing overall county output and jobs.

Traffic Calming Policy for New Development; could require developers to be responsible for calming traffic in existing connected neighborhoods, and be trapped in an open ended process with no objective standards for what, when, or where traffic calming measure should be installed:

This comes from the Winston-Salem Department of Transportation as a follow up policy to the visits Dan Burden made in the fall. A citizen committee that doesn't appear to have had any builder or realtor representation drafted the policy. The draft policy can be obtained from the WSDOT; call 727-2707. We have already contacted the WSDOT and will be commenting through the process.

Union Cross/Southeast Forsyth County Area Plan Update (excerpts from W-S Journal):

'Rules on housing developments generate debate: Panel decides that tight controls should not be required in growth plan'

Strict controls on new housing would be recommended but not required in the latest proposal to regulate growth in the southeastern Forsyth County.

A 14-member citizen committee wrapped up its

work last week on the Union Cross/Southeast Forsyth County Area Plan that now goes to the City-County Planning Board for debate. The group's last meeting showed fissures still divide those who want more controls from those who fear over-development.

Panel members debated whether to make a type of "rural conservation" subdivision a requirement over much of the undeveloped parts of the study area. A rural-conservation subdivision is designed to leave half the land in a subdivision undeveloped without reducing the number of houses that would otherwise be allowed. Under this provision, the houses are clustered.

Critics on the panel said that concept might hurt the sale value of the land in southeast Forsyth.

"I don't want anything that might change the value of my land," said Zane Sells, a panel member who owns a large tract of land. Chuck Folds, a panel member representing homebuilder interests, said that the concept would result in lower prices.

"If someone is going to buy a house, are you going to pay the same price for half the property?" Folds asked. "You are not. It is just that simple."

Panel members eventually agreed to recommend but not require rural-conservation subdivisions in the less-developed parts of southeast Forsyth.

Rosemary Deemer, the county planner who worked with the panel on the proposal, said it was too early to say whether the city-county planning staff would simply endorse the committee's work or make its own recommendations.

Deemer said that planners would look carefully at the panel's decision to make conservation subdivisions only a recommendation for the study area.

Some panel members said they were doubtful about the way the proposal approaches what is called a "traditional neighborhood development." This type of development, designed for a mix of housing and business, would take place in areas mostly along the edge of the study area in Forsyth County.

The proposal will go before the city-county planning board for a public hearing, but the date has not been set.

The Winston-Salem City Council and the Forsyth County Board of Commissioners will consider the proposal later. The Kernersville Board of Alderman might also consider the proposal.

(Continued on page 3)

Governmental Affairs Report Continued

By Chuck Folds

Extension of Sewer in Southeastern Forsyth County Ok'd:

The N.C. Department of Environment and Natural Resources approved a plan to extend sewer service to about 4,000 acres of mostly undeveloped land in southeast Forsyth County. NCDENR wanted to permit the sewer extension based on the total effect the project would have on development in the region served by the sewer lines, not just on the Caleb's Creek project. This was done because the sewer lines will serve another 2,800 acres outside Caleb's Creek, potentially changing the nature of how the land is developed.

The first phase would serve the Abbotts Creek basin north of Watkins Ford Road, including Caleb's Creek. Work could start this summer and could take a year to finish.

The second phase of the project, serving the Deep River basin west of the Guilford County line, will tie into the Abbotts Creek project. The two projects together are estimated at \$10.5 million. Kernersville officials are trying to get a \$7.5 million state loan to help build the lines, and the utility commission is providing another \$3 million.

The money will be repaid as the property develops through user fees and other charges.

Kernersville officials also agreed to forego a sewer-rate reduction that was scheduled to take place over the next two years. That move will help pay for the project.

PHASE II PERMANENT RULE PUBLIC HEARINGS SCHEDULED (from NCHBA)

At their February 13, 2003 meeting, the Environmental Management Commission gave approval to the Division of Water Quality to conduct public hearings with draft permanent rule language for implementing the NPDES Phase II Stormwater program in North Carolina. Public hearings will be held across the state in April. See the appropriate links under Regulatory News for the proposed rules. Comments and talking points for the public hearings will be provided soon.

04/01 7PM Smithfield Johnston Co. Comm College
 04/07 7PM Wilmington New Hanover NE Reg. Library
 04/17 7PM Asheville Asheville-Buncombe CC
 04/22 7PM Kernersville Municipal Building
 04/28 7PM Washington Washington Civic Center

Sales Tax on Services – Its Impact on the Real

Estate Industry (from NCAR):

Issue: North Carolina is dealing with a budget crisis. Governor Mike Easley has appointed a special commission charged with studying how the state can make the tax structure work better. This commission currently is looking to expand the current sales tax to include professional services.

Background: North Carolina sales and use taxes are imposed on the retail sale of tangible personal property. In order to exclude an article or a transaction from the tax, a specific exemption must be enacted. Under current law, services are not taxed unless there is a specific imposition of the tax. North Carolina traditionally has imposed sales or use tax on a limited number of services. Those services include: accommodation rentals, laundry and dry cleaning services (receipts for coin-operated machines are exempt), funeral services, direct-to-home satellite service and telecommunications service.

Impact On Real Estate: Expansion of state sales taxes to services would have a significant impact on the real estate industry:

1. Increasing the costs of housing- Virtually all real estate services involved in a home sale may be subjected to a sales tax; they include appraisal fees, brokerage commissions, architectural services, credit reports, mortgage origination, attorney's fees, surveys, home inspection fees, and title fees. In addition, most states currently charge sales tax on the building materials used to construct housing. If North Carolina expanded its sales taxes to include the labor component of construction services, the price of new housing would increase accordingly.

2. Decreasing homeownership opportunities- The National Association of REALTORS'® research has concluded that for every \$100 increase in the overall price of a home, approximately 1,200 households will be priced out of homeownership. If a services tax is enacted, the cost of buying a home will definitely increase and prevent many North Carolina families from realizing the dream of homeownership.

3. Increasing the costs of operating brokerage businesses- Sales taxes on services - such as advertising, legal, and accounting - used by brokerage businesses would significantly add to their operating expenses. This could place some small and emerging businesses at a disadvantage to larger companies that are able to perform these functions in-house.

4. Unfair – purchasers of property already bear tax burden-

(Continued on page 17)

April is Fair Housing Month

The National Association of REALTORS has designated April as Fair Housing Month. REALTOR® organizations firmly support the principle of fair housing for all. NAR and the Department of Urban Development (HUD) have developed a model Fair Housing Partnership to promote cooperation on fair housing issues between the industry, fair housing groups and government. The voluntary partnership looks to identify housing issues and concerns and jointly develop and implement solutions. This partnership serves as a national model that can be replicated at the local level.

Agents in a real estate transaction are prohibited by law from discriminating on the basis of race, color, religion, sex, handicap, familial status, or national origin. A request from the home seller or landlord to act in a discriminatory manner in the sale, lease or rental cannot legally be fulfilled by the real estate professional. REALTOR® members additionally must conduct their business and activities in accordance to The Code of Ethics.

Article 10 of the National Association of REALTORS® Code of Ethics provides that “REALTORS® shall not discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status or national origin.” A REALTOR® pledges to conduct business in keeping with the spirit with the letter of the Code of Ethics. Article 10 imposes obligations upon REALTORS® and is also a firm statement of support for equal opportunity in housing.

The Winston-Salem Regional Association of REALTORS® publicly promotes the REALTORS® role in providing equal and affordable housing opportunities for all Americans through a variety of programs. WSRAR has a vision of REALTORS® being the leaders in a culturally diverse real estate market. Working through an Affordable Housing Task Force and the Cultural Diversity Committee WSRAR has initiatives this year to help market the multitude of programs that are available throughout Winston-Salem. These programs offer a variety of assistance including homebuyer education, financial aid, and available homes. With the assistance of you “our members” WSRAR is leading the housing industry in promoting fair housing for **all**.

We have reprinted the “12 Steps Toward Equal Housing Opportunity” as outlined by NAR in this publication. For a free copy of the NAR Brochure “What Everyone Should Know about Equal Opportunity in Housing” please call our office (768-5560) or email me at jcaubre@wsrar.com. For a copy of “The Code of Ethics” go to www.wsrar.com

Jo Caubre, RCE
Executive Vice President

Want to save \$2500 in taxes??

Your invited to learn how on...

When: April 17th at 12 noon

Where: at WSRAR offices

**For a lunch and learn with
Linda Pritchett of
Bankers Life and Casualty**

Lunch Provided

Did you know:

Long Term Care is the #1 cause of poverty in people over 65

The average cost of long term care is \$3,000-\$5,000 per month

1 out of 1200 people ever use their fire insurance

1 out of 240 people ever use their car insurance

1 out of every 3 people will use long term care insurance, among those who have it!

**RSVP TO Stephanie at 768-5560 or by
hitting reply to this message.**

Board of Directors Report:

Board of Directors Report

Below are highlights of the March Board of Directors meeting:

- Approved the resignation of three REALTORS®
- Approved six new Provisional REALTOR® members
- Endorsed Treasure Faircloth for NCAR Region 6 Vice President and Ferrell Clay for NCAR Region 6 Finance Committee
- Approved of the MLS Restructuring Task Force reports
- Referred both an arbitration and ethics case to the NCAR Professional Standards Committee

Membership Totals Report

(as of March 31, 2003)

REALTORS®	967
Affiliates	69
Institute Affiliates	11
Public Service	2
Life Members	27
TOTAL	1076

Applied for Membership	16
Non-Member Licensees	132
MLS Participants	1214
C&I Participants	100
PMD Participants	32

Membership Changes

New MLS Companies:

- Ace Homes and Property Management (Dianna Stevenson, Broker)
- Alexander Martin Realty (Nancy Alexander, Broker)
- Leinbach Auction (Todd Leinback, Broker)

Resignations:

- Bob Carson (Crowder McChesney & Associates)
- Renee Harper (Mulvaney Homes)
- Terry Long (Coldwell Banker Triad)

**2003 RPAC
CONTRIBUTORS**

\$500.00
Katy Boles

\$250.00
Foss T. Smithdeal III

\$100.00
Treasure A. Faircloth
Cindy Botta Blackwell
Ron Rosenberg
Paul McGill
James V. Salzwedel

\$99.00
George A. Munford Jr.

Under \$99
Helen H. Wright
C.J. Hyatt
Harold C. Weaver
Shirley J. Ramsey

Triad MLS Rules and Regulations - Data Integrity

You have all heard the saying “Garbage in...Garbage out” and as professionals, you understand the importance of having an MLS database that contains reliable data. One of my jobs is to ensure data integrity. But what is data integrity?

Data Integrity “is a measure of the accuracy, completeness, and currency of data. Data integrity is enhanced because there is one version of the data that is kept accurate and complete.” Page 157, *Information Systems for Managers Third Edition* George W. Reynolds, University of Cincinnati, 1995 West Publishing Company, Minneapolis/St. Paul.

“Data integrity means that data is accurate, consistent, and up-to-date.” Page 169, *Information Systems Management Handbook* Jae Shim, Joel Siegel, Anique Qureshi, Robert Chi, 1999 Prentice Hall, Paramus, NJ.

In order to ensure the integrity of the data, Triad MLS has certain rules in place. Occasionally, I will be highlighting some of those rules in my monthly article, in order to promote awareness. Here are some Triad MLS Rules that I’ve highlighted this month.

Section 1.1 LISTINGS SUBJECT TO RULES AND REGULATIONS OF THE SERVICE: Any listing contract which allows the property to be entered into the Service is subject to the Rules and Regulations of the Service upon signature of the seller (s).

This means that if the listing is entered into the MLS system, it is subject to ALL of the rules in place. (i.e. Seller can not request that the property status remain ACTIVE if there is a contract pending.)

Section 1.2 DETAIL ON PROPERTIES ENTERED INTO THE SERVICE: A Property Data Form, when entered into the Service by the listing broker, shall be complete in every detail which is ascertainable as specified on the Property Data Form. The Property Data Form is defined as any format developed for inputting data into the computerized MLS. (For additional details reference Exhibit 1 of the Triad MLS Rules and Regulations.)

Photos are required for all listings except land listings. Photos of new construction shall be submitted as soon as the exterior of the building is complete. No additions or alterations may be made to the photos, i.e.: company logos, banners, advertising verbiage, etc. Media links are limited to property photos, property images or property tours.

The remarks section of the Property Data Form shall not contain any personal agent information or hyperlinks.

Section 1.6 CONTINGENCIES APPLICABLE TO LISTINGS: Any contingency or conditions of any term in a listing shall be specified and noticed to the Participants by entry into the on-line system within one (1) business day.

Section 2.5 REPORTING SALES TO THE SERVICE: Upon transfer of title, the sale must be reported within three (3) business days to the Service by the listing broker. In the event Participants have co-listed a property, the Participants shall agree among themselves which Participant shall report the sale to the Service. Other Participant(s) must notify their respective MLS coordinator to delete the listing.

Section 2.6 REPORTING CONTINGENCIES/PENDINGS/TEMPORARILY OFF MARKET:

- (A) The listing broker shall report to the Service within one (1) business day any change of status; (i.e., Contingent, Contingent AB [Accepting Backup], Pending, Pending AB [Accepting Backup], Temporarily Off Market).
- (B) The listing broker shall report to the Service within one (1) business day that a contingency previously entered into the Service has been fulfilled or renewed or the agreement canceled.

IMPORTANT INFORMATION PLEASE POST MLS GRID FOR PLACEMENT IN HOMESPOTTER

The following is the list of coordinates and their respective placement in our HomeSpotter publication. Please use this as a guide to determine the quadrant that your listing will be placed in HomeSpotter. All information is pulled directly from your data inputted into MLS. When mapping coordinates, please use a Forsyth County map. If you need further assistance please contact Stephanie or Susan at 768-5560.

South East Forsyth County

33D4, 33D5, 34A4, 34A5, 34B4, 34B5, 34C4, 34C5, 34D4, 34D5, 35A4, 35A5, 35B4, 35B5, 35C4, 35C5, 35D4, 35D5, 36A4, 36A5, 36B4, 36B5, 36C4, 36C5, 49D1 – 5, 50A1 – 5, 50B1 – 4, 50C1 – 4, 50D1 – 4, 51A1 – 4, 51B1 – 5, 51C1 – 5, 51D1 – 5, 52A1 – 5, 52B1 – 5, 52C1 – 5, 51C1 – 5, 63D1, 64A1

South West Forsyth County

AREAS: 47 & 48,

29C4, 29C5, 29D3, 29D4, 29D5, 30A4, 30A5, 30B4, 30B5, 30C1, 30C2, 30C4, 30C5, 30D4, 30D5, 31D4, 31D5, 32D4, 32D5, 33A4, 33A5, 33B4, 33B5, 33C4, 33C5, 45C1, 45D1, 45D2, 45C2, 45D3, 31A4, 31A5, 31B4, 31B5, 31C4, 31C5, 32A4, 32A5, 32B4, 32B5, 32C4, 32C5, 46A1, 46A2, 46A3, 46B1, 46B2, 46B3, 46C1, 46C2, 46C3, 46C4, 46D1, 46D2, 46D3, 46D4, 46D5, 49A1 – 5, 49B1 – 5, 49C1 – 5, 61A1 – 3, 61B1 – 3, 61C1 – 3, 61D1 – 3, 62A1 – 2, 62B1 – 2, 62C1, 62D1, 63A1, 63B1, 63C1

North West Forsyth County,

ALL of AREA 16 & 17

GRIDS: 4A2, 4B2, 4C2, 4A3, 4B3, 4C3, 4A4, 4B4, 4C4, 4A5, 4B5, 4C5, 18A1 – 5, 18B1 – 5, 18C1 – 5, 29C3, 30D1, 30D2, 30D3, 30A2, 30A3, 30B2, 30B3, 30C3, 31A1 – 3, 31B1 – 3, 31C1 – 3, 31D1 – 3, 32A1 – 3, 32B1 – 3, 32C1 – 3, 32D1 – 3, 33A1 – 3, 33B1 – 3, 33C1 – 3, 1C2, 1C3, 1C4, 1D2, 1D3, 1D4, 1D5, 2A2 – 5, 2B2 – 5, 2C2 – 5, 2D2 – 5, 3A2 – 5, 3B2 – 5, 3C2 – 5, 3D2 – 5, 15C1 – 5, 15D1 – 5

North East Forsyth County

ALL OF AREAS 19 & 20

4D2 – 5, 5A2 – 5, 5B2 – 5, 5C2 – 5, 5D2 – 5, 6A3 – 5, 6B3 – 5, 6C3 – 5, 6D3 – 5, 7A3 – 5, 7B3 – 5, 7C3 – 5, 18D1 – 5, 21A1 – 5, 21B1 – 5, 21C1 – 5, 33D1 – 3, 34A1 – 3, 34B1 – 3, 34C1 – 3, 34D1 – 3, 35A1 – 3, 35B1 – 3, 35C1 – 3, 35D1 – 3, 36A1 – 3, 36B1 – 3, 36C1 – 3

OTHER:

Davidson County Davie County Stokes County Surry County Yadkin County Rockingham County Wilkes County Alleghany County

Beach	700
Mountain	800
Lake	900
Other	999



April Membership Meeting

REALTOR® MEMBERSHIP MEETING

Program: Strategies for Success as a REALTOR

Speaker: Cheryl Ham, Top Producer

Date: April 15th

Time: 5:45 p.m. Membership Meeting

Place: Benton Convention Center

Cost: WSRAR Members - No Charge

Guests - \$20.00

RSVP REQUIRED BY April 11th AT NOON FOR MEMBERSHIP MEETING

RESPOND BY FAX 768-7295 OR EMAIL wsrar@wsrar.com

CANCELLATIONS NEED TO BE RECEIVED BY April 12TH



OUR ONLINE REALTOR STORE IS NOW OPEN...

Visit our website at www.wsrar.com (password REALTOR login WSRAR) and follow the link or bookmark www.wsrarrealtorstore.com to your favorites. Find all your **Real Estate Marketing Tools And Supplies at our store** Information Boxes/Tubes, REALTOR Logo Items, Business Card Magnets, Literature Displays, Key Boxes/Lockboxes, Stickers, Automatic Measuring Devices, Calculators, Open House Tools, Riders, Signs, Pennants, Videos, Real Estate Theme Clothing & Jewelry, Doorhangers, Client Cards, Top Producer & other software, Books, Advertising Specialty Products/Items and much, much more.

April Birthdays



- | | | | |
|-----------|---|-----------|--|
| 1 | Louis B. Baldwin Jr. GRI
Kirsten E. Oakes | 18 | Cheri Hill
Kay K. Pinnix GRI |
| 2 | Ava H. Blount
Dan J. Patterson
William A. Rodda | 19 | Nora E. Kirkman |
| 3 | Billy R. Fritts
Robert H. Nixon | 20 | William Downey
Shelly L. Hartman
Keith Lawson GRI
Sharron B. Shaw GRI CRS |
| 4 | Chris J. Chapman CCIM
Earl Creason
Mary C. Dolesh
Randy Honeycutt
Phillip Rector | 21 | Sonya Hanes
Patricia T. Jones |
| 5 | A. Kent Masich MAI CCIM
Garry L. Merritt CCIM | 22 | Michele D. Johnston ABR |
| 6 | Rick Crowder GRI CRB
C. Cris Jarrell
Robin Weant | 24 | Michael J. Jones
Bill Russell |
| 8 | John F. Lynch | 25 | Jim Hutchins |
| 9 | Darla Mullican
P. Gregory Wilson CCIM | 26 | David H. Daniel ABR
Joe Hooker GRI |
| 10 | Ron Rosenberg | 27 | Mary J. Brunt
June Dinkins
Charles J. Jones Jr. |
| 11 | Jerri M. Banner ABR | 28 | Paula Brafford
Chris D. Groce
Kathy Hustus
Lynn Ray CRS ABR
William N. Shore GRI |
| 12 | Ben Hilliard | 29 | Ron Creasy
Greta Frye GRI
April Strader Bullin ABR
Carol K. Whicker GRI CRS |
| 13 | Sandee Lawless GRI CRS ABR
Melinda D. Leonard GRI
Paul McGill GRI
Gordon Pfefferkorn | 30 | Margie W. Cashion GRI
Richard E. Maxey Jr. CPM |
| 14 | Romie Lee Flynn
Catherine R. Indianos
Linda Nossar | | |
| 15 | Kathy D. Clark GRI CRB
Renee Stephen
Deborah R. Swift GRI CRS ABR | | |
| 16 | Brenda G. France
Nancy Hoover
Oscar T. Ott | | |
| 17 | Ginger B. McCollum GRI CRS CRB | | |

12 Steps Toward Equal Housing Opportunity

Two prospective buyers walk into the office of ABC Realty. Cindy is white, and Maria is Hispanic. They're both interested in a listing at 555 Lovely Lane.

Although Cindy and Maria are both treated courteously, the treatment is notably different. Cindy is taken right out to see the home. Despite the fact that it doesn't seem to meet her family's space needs, she's discouraged from looking at homes in a more diverse section of town. Maria is encouraged to prequalify for a mortgage before she starts looking. Once she sees the home, she's ready to make an offer, but the salesperson suggests she view a wider range of homes in both areas of town.

Note how assumptions are made that impact *both* women's housing choices. If you're to stay on the right side of the fair housing law, the statements you make and the actions you take must ensure *equal* housing opportunity for all.

Here are 12 steps you can implement to make sure that everyone in your sales or leasing operation understands that goal and puts it into practice.

- 1. Commit the letter of the law to memory.** The Fair Housing Act makes illegal any discrimination in the sale, lease, or rental of housing or making housing unavailable because of race, color, religion, sex, handicap, familial status, or national origin.
- 2. Market to diversity.** NAR certifies real estate practitioners who've been trained to work with a diverse population. The At Home With Diversity: One America certification program is a full-day class that helps you build cross-cultural skills and develop a diversity business plan. Once you complete the course, you can display in your advertising the HUD One America logo and the NAR At Home With Diversity logo.
- 3. Give sellers and landlords whose properties you manage the brochure** *What Everyone Should Know About Equal Opportunity in Housing* and discuss it with them. (See "Fair Housing Resources.")
- 4. Point out and discuss with prospective clients and customers** any language in your listing or lease agreement that pertains to fair housing.
- 5. Get sellers' consent in writing to abide by the law.**
- 6. Be ready to walk away from a listing or property management contract** if the owners seem unwilling or unable to adhere to the Fair Housing Act. For example, if sellers refuse to show their property to certain buyers, terminate the listing agreement.
- 7. Treat prospective buyers and tenants in a consistent manner.** You can do so by establishing an *equal professional service model*. That is, use objective information, let the customer set the limits,

CONTINUED FROM PAGE 13

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Realtor® Fair Housing Declaration

I agree to:

Provide equal professional service without regard to the race, color, religion, sex, handicap, familial status, or national origin of any prospective client, customer, or of the residents of any community.

Keep informed about fair housing law and practices, improving my clients' and customers' opportunities and my business.

Develop advertising that indicates that everyone is welcome and no one is excluded;, expanding my client's and customer's opportunities to see, buy, or lease property.

Inform my clients and customers about their rights and responsibilities under the fair housing laws by providing brochures and other information.

Document my efforts to provide professional service, which will assist me in becoming a more responsive and successful REALTOR®.

Refuse to tolerate non-compliance.

Learn about those who are different from me, and celebrate those differences.

Take a positive approach to fair housing practices and aspire to follow the spirit as well as the letter of the law.

Develop and implement fair housing practices for my firm to carry out the spirit of this declaration.

WHAT EVERYONE SHOULD KNOW ABOUT EQUAL OPPORTUNITY IN HOUSING

The sale and purchase of a home is one of the most significant events that any person will experience in his or her lifetime. It is more than the simple purchase of housing, for it includes the hopes, dreams, aspirations, and economic destiny of those involved.

THE LAW

Civil Rights Act of 1866

The Civil Rights Act of 1866 prohibits all racial discrimination in the sale or rental of property.

Fair Housing Act

The Fair Housing Act declares a national policy of fair housing throughout the United States. The law makes illegal any discrimination in the sale, lease or rental of hous-

(Continued on page 15)

and offer a variety of choices. Develop a consistent approach to greeting people, showing homes, qualifying prospects, obtaining listings, conducting open houses, keeping records, and following up with prospects. Ask standard questions, and consider using forms or checklists to keep track of what you need to cover with each prospect.

8. Don't encourage prospects to buy or lease a property--or discourage them from buying or leasing one--because of the racial, ethnic, or religious composition of a neighborhood. When you make such choices *for* prospects, you can be accused of steering. Instead, offer a variety of choices.

9. Beware of exclusivity. Be careful not to develop a promotion plan that excludes a certain group. Any marketing plan, including the selection of media for ads, that indicates a preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin is a violation of the Fair Housing Act.

10. Be vocal about your support for fair housing. Send a positive message to your community. Conduct fair housing training programs, monitor salespeople's and leasing agents' performance, and commit to the REALTOR® Fair Housing Declaration. Doing so gives you a marketing edge and makes you more credible if you're faced with a fair housing violation.

11. Implement procedures, such as self-testing, to measure your company's compliance with the fair housing law. Such procedures can help you discover areas for improvement. Private fair housing organizations or your local REALTOR® association can conduct the testing.

12. Monitor yourself. Regularly ask yourself whether you provide the same level of service to everyone who walks through your door.

Continued from page 11

- (B) The listing broker shall report to the Service within one (1) business day that a contingency previously entered into the Service has been fulfilled or renewed or the agreement canceled.
- (C) Any listing temporarily removed from market shall be notified to the service as Temporarily Off Market (TOM). Days on market will continue to accrue until the listing expires or closes.

Section 1.4 CHANGE OF LISTING AGREEMENT TERMS: Any change in listed price or other change in the original listing agreement shall be made only when authorized in writing by the seller and shall be entered into the Service within one (1) business day after the authorized change is received by the listing broker.

You can link to the Triad MLS Rules and Regulations and other newsletters from the Triad MLS web site online at www.triadmls.net.

By:
Darrin D. Edwards, MBA
Executive Vice President
Triad MLS, Inc.

All courses are NC Real Estate Commission Approved for Continuing Education 2002 – 2003 Update and Elective Courses – 4 hours credit per course

Check desired course(s):

Date	Course	Time	Place	Instructor	
<input type="checkbox"/>	April 12	Update	8:30 a.m. – 12:30 p.m.	LJVMC	Deborah Long
<input type="checkbox"/>	April 12	Mold, Moisture & Mildew	2:00 p.m. – 6:00 p.m.	LJVMC	Deborah Long
<input type="checkbox"/>	April 23	Update	8:30 a.m. – 12:30 p.m.	LJVMC	Vickie Ferneyhough
<input type="checkbox"/>	April 23	Buyers, Brokers,	2:00 p.m. – 6:00 p.m.	LJVMC	Vickie Ferneyhough
<input type="checkbox"/>	May 8	Update	8:30 a.m. – 12:30 p.m.	LJVMC	George Bell
<input type="checkbox"/>	May 8	If You Were The Judge	2:00 p.m. – 6:00 p.m.	LJVMC	George Bell
<input type="checkbox"/>	May 28	Property Management Pitfall or Profit	8:30 p.m. – 12:30 p.m.	LJVMC	Kim Stotesbury
<input type="checkbox"/>	May 28	CMA to CYA	2:00 p.m. – 6:00 p.m.	LJVMC	Kim Stotesbury
<input type="checkbox"/>	June 5	The Forms Corner	8:30 a.m. – 12:30 p.m.	LJVMC	Tom Mahlum
<input type="checkbox"/>	June 5	Update	2:00 p.m. – 6:00 p.m.	LJVMC	Tom Mahlum

**Mark your calendar, select courses and return entire form with total payment
Payment and registration form must be received 1 week before class day**

Winston-Salem Regional Association of REALTORS®, Inc.
Attn: Nancy Yarborough
195 Executive Park Blvd.
Winston-Salem, NC 27103
Phone (336) 768-5560 Fax (336) 768-7295

Name

Type or print as appears on license

Company

Address

City

State

Zip

Phone

**License#
(Mandatory)**

E-mail Address

Credit Card #

Visa

MasterCard

Expiration Date

OR

**CHECKS MADE PAYABLE TO:
W-S Regional Association of REALTORS®, Inc.
Cost: \$35.00 per class: Amount Enclosed**

**DISCOUNT NOTE: If taking 2 classes in one day you may deduct \$10.00 from the total.
MAKE A COPY OF THIS COMPLETE FORM FOR YOUR RECORDS**

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ing, or making housing otherwise unavailable, because of race, color, religion, sex, handicap, familial status, or national origin.

Americans with Disabilities Act

Title III of the Americans with Disabilities Act prohibits discrimination against persons with disabilities in places of public accommodations and commercial facilities.

Equal Credit Opportunity Act

The Equal Credit Opportunity Act makes discrimination unlawful with respect to any aspect of a credit application on the basis of race, color, religion, national origin, sex, marital status, age or because all or part of the applicant's income derives from any public assistance program..

State and Local Laws

State and local laws often provide broader coverage and prohibit discrimination based on additional classes not covered by federal law.

THE RESPONSIBILITIES

The home seller, the home seeker, and the real estate professional all have rights and responsibilities under the law.

For the Home Seller

As a home seller or landlord you have a responsibility and a requirement under the law not to discriminate in the sale, rental and financing of property on the basis of race, color, religion, sex, handicap, familial status, or national origin. You cannot instruct the licensed broker or salesperson acting as your agent to convey for you any limitations in the sale or rental because the real estate professional is also bound by law not to discriminate. Under the law, a home seller or landlord cannot establish discriminatory terms or conditions in the purchase or rental; deny that housing is available, or advertise that the property is available only to persons of a certain race, color, religion, sex, handicap, familial status, or national origin.

For the Home Seeker

You have the right to expect that housing will be available to you without discrimination or other limitations based on race, color, religion, sex, handicap, familial status, or national origin.

This includes the right to expect:

- housing in your price range made available to you without discrimination
- equal professional service
- the opportunity to consider a broad range of housing choices
- no discriminatory limitations on communities or locations of housing
- no discrimination in the financing, appraising, or insuring of housing
- reasonable accommodations in rules, practices and procedures for persons with disabilities
- non-discriminatory terms and conditions for the sale, rental, financing, or insuring of a dwelling
- to be free from harassment or intimidation for exercising your fair housing rights.

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For the Real Estate Professional

Agents in a real estate transaction are prohibited by law from discriminating on the basis of race, color, religion, sex, handicap, familial status, or national origin. A request from the home seller or landlord to act in a discriminatory manner in the sale, lease or rental cannot legally be fulfilled by the real estate professional.

THE REALTOR® FAIR HOUSING PROGRAM

The NATIONAL ASSOCIATION OF REALTORS® has developed a Fair Housing Program to provide resources and guidance to REALTORS® in ensuring equal professional services for all people. The term REALTOR® identifies a licensed professional in real estate who is a member of the NATIONAL ASSOCIATION OF REALTORS®. Not all licensed real estate brokers and salespersons are members of the National Association, and only those who are may identify themselves as REALTORS®. They conduct their business and activities in accordance with a strict Code of Ethics.

The Code of Ethics

Article 10 of the NATIONAL ASSOCIATION OF REALTORS® Code of Ethics provides that *"REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, or national origin. REALTORS® shall not be a party to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status or national origin. REALTORS®, in their real estate employment practices, shall not discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status or national origin."*

A REALTOR® pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. Article 10 imposes obligations upon REALTORS® and is also a firm statement of support for equal opportunity in housing.

IF YOU SUSPECT DISCRIMINATION**Call the Local Board of REALTORS®**

Local Boards of REALTORS® will accept complaints alleging violations of the Code of Ethics filed by a home seeker who alleges discriminatory treatment in the availability, purchase or rental of housing. Local Boards of REALTORS® have a responsibility to enforce the Code of Ethics through professional standards procedures and corrective action in cases where a violation of the Code of Ethics is proven to have occurred.

Call the U.S. Department of Housing and Urban Development

Complaints alleging discrimination in housing may be filed with the nearest office of the United States Department of Housing and Urban Development (HUD), or by calling HUD's toll free numbers, 1-800-699-9777 (voice), or 1-800-927-9275 (TTY). Contact HUD on the internet at <http://www.hud.gov/fhe/fheo.html> .

Governmental Affairs Report Continued

(Continued from page 3)

North Carolina is one of 37 states that already tacks on what is essentially a sales tax based on the property sale price; this typically is called a land transfer tax. North Carolina citizens currently pay a tax rate of one dollar (\$1.00) on each five hundred dollars (\$500.00) of the sales price.

City/County Planning Board Friday Morning Meetings for Developers: Planning staff continues to offer this service to developers submitting plans for review. Contact Glenn Simmons at 727-2087.

REALTORS® Introduce Real Estate Commission Bill (from NCAR)

Representative Julia Howard (R-Davie), a REALTOR® from Mocksville, and Representative John Rhodes (R-Mecklenburg), a REALTOR® from Cornelius, have introduced legislation requested by the Real Estate Commission. House Bill 328 (Amend Real Estate Licensing Laws/Fees-AB) was introduced on March 6th and authorizes the Commission to issue a limited broker or salesperson license to nonresidents to engage in transactions involving commercial real estate. Many of the details of this new type of license would be established in rules adopted by the Commission, but nonresident licensees would have to be affiliated with and supervised by a resident licensee. The bill would also allow the commission to eliminate oral and written examinations for licensure in favor of computerized examinations (except in cases of disability), simplify the process by which nonresident licensees that are corporations consent to service of process or pleading, and make technical changes to the real estate licensing statutes. NCAR looks forward to working with Representatives Howard and Rhodes on this legislation.

Banks in Real Estate (from NAR)

NAR continues to generate congressional support for our Community Choice in Real Estate Act (H.R.111 & S.98). We now have 187 co-sponsors in the House (107 Democrats, 79 Republicans, 1 Independent) and 11 co-sponsors in the senate (4 Democrats, 7 Republicans). Even with the recent passage of the Northup amendment (prohibiting Treasury from using any funds to finalize the regulation this fiscal year) our goal is still to have Congress take action on this critical issue. That means keeping the pressure on Congress, and the best way to do that is to get a majority of both the House and Senate to co-sponsor H.R.111 and S.98. A complete cosponsor list of both H.R.111 and S.98 is available on the Action Center at www.naractioncenter.com.

accordingly.

2. Decreasing homeownership opportunities- The National Association of REALTORS'® research has concluded that for every \$100 increase in the overall price of a home, approximately 1,200 households will be priced out of homeownership. If a services tax is enacted, the cost of buying a home will definitely increase and prevent many North Carolina families from realizing the dream of homeownership.

3. Increasing the costs of operating brokerage businesses- Sales taxes on services - such as advertising, legal, and accounting - used by brokerage businesses would significantly add to their operating expenses. This could place some small and emerging businesses at a disadvantage to larger companies that are able to perform these functions in-house.

4. Unfair – purchasers of property already bear tax burden- North Carolina is one of 37 states that already tacks on what is essentially a sales tax based on the property sale price; this typically is called a land transfer tax. North Carolina citizens currently pay a tax rate of one dollar (\$1.00) on each five hundred dollars (\$500.00) of the sales price.

Boards and commissions seats to expire February and March 2003:

*Kernersville Planning Board

*Kernersville Appearance Commission

*W-S/Forsyth Co. Appearance Commission

*Forsyth County Environmental Affairs Board

*Forsyth County Equalization and Review Board

they're looking for people with real estate appraisal experience

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- *Industrial Facilities and Pollution Control Authorities
- *Piedmont Triad Airport Authority
- *Planning Board City/County

City/County Planning Board Friday Morning Meetings for Developers: Planning staff continues to offer this service to developers submitting plans for review. Contact Glenn Simmons at 727-2087.

Boarding Houses: Recommendation from Alderman General Government Committee would change definition of family; lowering number unrelated adults allowed in dwellings from 4 to 2-

A recommendation from the Winston-Salem Alderman Community Development/ Housing/ General Government Committee is a UDO text amendment changing the maximum number of unrelated individuals in single family rental property from 4 to 2. This is in response to serious boarding and rooming house problems that exist primarily in the southeast part of the city. Some unintended consequences include making any rental housing that has more than two unrelated individuals illegal, and raising questions about the definition of "family." This could effectively raise rents for individuals renting houses throughout the city. The Planning Board made a positive recommendation on the amendment, but also recommended keeping the maximum number of unrelated adults at four (4). This amendment went back to the committee where they voted to continue it. A suggestion of compromising at 3 unrelated adults was brought up by a neighborhood group. It is a bit unclear what the official status of this issue is right now. I am actively seeking a solution to the issue that will address the concerns of the neighborhoods dealing with absentee landlords while not negatively impacting the vast majority of housing that is not the problem.

Top Court Fair Housing Ruling Favors Broker (Source: NAR) In a unanimous decision, the U.S. Supreme Court ruled that individual broker-owners are not personally liable for the acts of agents who commit fair housing law violations.

The high court, in the case Meyer v. Holley, reversed a decision by the U.S. Ninth Circuit Court of Appeals in California, which had extended liability to owners and officers. In the case, a racially mixed couple sought to make the owner of Triad, REALTORS, personally responsible for the actions of one of its agents who allegedly had made disparaging remarks about the couple.

"NAR is pleased that the Supreme Court adopted the position advanced by NAR in its amicus curiae (friend of the court) brief that traditional principles of vicarious liability apply in fair housing cases. As a result, the court found that innocent officers and owners of residential real estate corporations will not be held personally liable for the unlawful conduct of the corporation's employees or agents," said Laurie Janik, NAR general counsel.

In Meyer v. Holley, an interracial couple alleged that they were discriminated against by a real estate agent, and brought a claim under the Fair Housing Act against the agent and the real estate firm for whom the agent worked. The couple also personally sued the individual owner and officer of the firm, claiming that he also was responsible for the agent's alleged conduct.

The trial court applied well-recognized principles to dismiss the Fair Housing Act claims against the individual owner, holding that vicarious liability principles permitted only the corporation, and not the individual owner and officer of the corporation, to be liable for misconduct by the corporation's agents.

The Ninth Circuit Court reversed the decision, concluding that traditional vicarious liability rules did not control with respect to the personal liability of corporate shareholders and officers in Fair Housing Act cases, and that owners and officers may be liable "simply on the basis that the owner or officer controlled (or had the right to control) the actions of the employee."

In a 9-0 decision, the Supreme Court reversed that conclusion of the Ninth Circuit. The Supreme Court opinion, delivered by Justice Stephen Breyer, said that the Fair Housing Act has not "extended traditional vicarious liability rules in that way."

Bill Would Give Local Governments Ability To Levy Transfer Taxes & Impact Fees (from NCAR, February 28)

A bill introduced this week would local governments authority over taxing and growth management issues. SB 160-DELEGATIONS OF AUTHORITY would effectively allow cities and counties to levy or adopt transfer taxes, im-

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pact fees, impact taxes, tree ordinances, inclusionary zoning and many other ordinances that would be detrimental to the real estate industry. The General Assembly has been very reluctant to support legislation this extreme and defeated a similar bill last session. The bill was introduced by Senators Clodfelter (primary sponsor); Dannelly, Gulley, Hartsell, Horton, Kinnaird, Malone, Reeves, and Stevens and has been referred to the Senate Judiciary I Committee. NCAR is working with General Assembly Leadership to ensure that this bill will not be enacted. Be on the look out for NCAR CALL-TO-ACTION if and when this issue is scheduled for debate. As advocates of homeowners, REALTORS® are opposed to any policies that discourage home ownership, and are discriminatory, and anti-economic development. NCAR will vigorously oppose any legislation that threatens the potential buyers' ability to buy a home.
<http://www.ncga.state.nc.us/html2003/bills/CurrentVersion/senate/sbil0160.full.html>