

THE REALTOR®



July/August 2017

Official Publication of Long Island Board of REALTORS®

LIRealtor.com

LIBOR Adds a REALTOR® Crime Prevention System as a **FREE** Member Benefit!

By David Legaz, LIBOR President



David Legaz
LIBOR President

As a Retired NYPD Sergeant, my #1 goal this year for my Presidency is Realtor® Safety and Prevention.

As you know, the Long Island Board of REALTORS® (LIBOR) are made of approximately 25,000 of our friends, colleagues, mothers, fathers, sisters, brothers, sons and daughters; it's for this reason that LIBOR is thrilled to introduce **Real Safe Agent (RSA)** crime prevention system, as a FREE member benefit beginning this summer. Staying safe means preventing a crime, not reacting to one. So, when I presented the Real Safe Agent system to my BOARD, we knew we needed to purchase the system for our members. It was clear that Real Safe Agent understands both REALTORS® and criminals; and allows the agents to prevent a crime without jeopardizing a sale.

Real Safe Agent is not just a personal safety app, it's a crime prevention system that empowers the entire real estate community to cooperate and collaborate to keep each member safe while still allowing each member to work the way he or she is most comfortable. It's precisely this cooperation and collaboration that prevents the foreboding behaviors of a predator from escalating to a crime, and denies the criminal the conditions needed to commit the crime.

The patent-pending system and accompanying mobile app allow users to rank their level of comfort with prospects, make more informed decisions about whether it'd be a good idea to bring another person along to an appointment, connect with agents in the area who could accompany them, and issue drop-in



Act when you're uncomfortable, don't wait until you're scared! By then it is too late.

alerts to nearby agents if they become uncomfortable. All aspects of the system are setup to be discreet so as to not alarm prospects should they be legitimate.

Our industry has always approached crime against agents as if it were random, opportunistic street crime, adopting the paradigm that "every agent is a standalone entity and anything can happen to any agent on any day." Unfortunately, it is impossible to prevent crime when it's approached from this perspective. The overwhelming majority of crime against real estate agents is not random opportunistic crime, it's predatory crime committed by predators. Here's the good news, because it's predatory, it meets cer-

CONTINUED ON PAGE 2

REALTOR® Crime Prevention

CONTINUED FROM PAGE 1

tain behavior patterns, and any time you have a behavior pattern you can interrupt the pattern and prevent the crime. "It's incredibly gratifying to know that we are enabling that agents can stay safe without interfering their ability to make a living," notes Susan Young, VP Industry Relations Real Safe Agent. RSA will be used by 75,000 agents around the country by the end of August, according to Young.

Learn how every action you take on the system helps keep you and every other LIBOR Member safe, and how to foster a safety oriented culture. Visit www.LIRealtor.com/safety for an interactive demo that explains some, but not all, of the features of the system. ●

MARK YOUR CALENDAR!

Real Safe Agent Training Sessions

Agent Sessions – 3 sessions per day

10:00am – 11:00am

11:30am – 12:30pm

2:00pm – 3:00pm

August 22nd – Queens RSC
 August 23rd – West Babylon RSC
 August 24th – West Babylon RSC
 August 25th – Riverhead RSC

Visit www.LIRealtor.com/safety for more information on these training sessions.

From Where I Sit

By Joseph E. Mottola

LIBOR Chief Executive Officer

Through the years, there have been various entities that appeared on the real estate industry screen and are viewed as a challenge and harmful to our industry. They range from the newspapers, to varying commission business models to today's social media platforms like Realtor.com and Zillow for example.

What REALTORS® don't realize is that LIBOR and MLSLI have no right or capability to have any influence on these business models. Many of these new models have become an information business specializing in real estate. Even if they promote and create a capability for Buyers and Sellers to make offers and counter offers, they are not brokerages and are not subject to DOS regulations.

"Trying to influence or have any impact on how any business is run is fruitless and in fact may run afoul of anti-trust laws."

MLSLI is not a brokerage but it too is an Information company providing real estate information as well as productivity products and programs for the brokerage industry. LIBOR's role is providing Advocacy, Legislative Monitoring, Risk Management and Educational Opportunities for the public and the Brokerage industry. LIBOR and MLSLI are very different from other entities specializing in information production. Trying to influence or have any impact on how any business is run is fruitless and in fact may run afoul of anti-trust laws.

Instead, LIBOR must focus on the type of educational programs which assist REALTORS® in dealing in a marketplace where the newer Information business models are flourishing. MLSLI has to continue to provide even more data to the public and our REALTORS® in order to attract the Buying and Selling public to the REALTOR® professionals in our industry.

New business models will continue to emerge and be present in our real estate industry. Some will prevail and others won't simply as a result of market influence. Only the Court can intervene and determine whether a business model runs afoul of any laws. That's the reality of a competitive marketplace whether we like it or not. ●

Questions On Current Issues

By Cathy Nolan

Goldson, Nolan & Connolly P.C.

Q. Must I keep the original documents or can I save them on the computer or in the cloud?

A. The DOS has recently stated you may keep copies stored on the computer or in the cloud so long as the repository for those documents cannot be tampered with and the documents cannot be altered once the information has been stored there.

Q. I understand the LIBOR Legal Helpline can now be called as well as e-mailed. Is that true and when does it start?

A. It is true and has been in effect since January, 2017. You may call 631-236-4105 or 516-428-2103. You will either speak to me or Tim Quinn. If you do not reach either of us, leave a message and we will call or e-mail you back. You will need to leave your name, LIBOR number, phone number and e-mail address.

Q. I heard the DOS is allowing continuing education classes of one hour in duration. Is that true?

A. Yes.

Q. Can I be paid by more than one person on a transaction?

A. You can, as long as this information is disclosed to your client.

Q. I am an attorney and represented a buyer in a transaction in which the seller refused to pay the broker. Now my buyer has been named as a Defendant in a lawsuit brought by the brokers. I do not believe the buyer has any liability but wonder if there was something I could have done at the time of the closing to have prevented my client's president dilemma?

A. You could have refused to close and you could have explained to your client that you were trying to protect him since the brokers might bring him into a lawsuit (as they have)! You could have told the seller's attorney that you were not about to put your client in harm's way and would only proceed if the seller gave your client a

hold harmless and agreed to pay any of the buyer's legal or other fees and expenses that might result from the seller's refusal to pay the brokers. You could have further insisted that the commis-

sion be held in escrow and that a reasonable amount of money be held against the legal fees and costs that might result from any action taken by the brokers to recover their commission. At that point, the seller's attorney could have explained your position to the seller and the seller may have decided to pay the brokers for the services he had received.

Q. Can I advertise a sold property if I brought the buyer?

A. Sure, as long as you state something along the lines of "...participated in the sale of...", or, "Brought the buyer to..." so that the listing broker will not accuse you of violating Article 12 of the Code of Ethics, which deals with advertising.

Q. A buyer was brought to my listing by someone who gave me a card that stated he was an agent for a particular broker. Then I found out the agent does not have a license. My broker told me we will not pay the other broker since my broker could lose his license for paying a broker who is paying someone who has no license. I feel bad for the agent and the broker with the buyer.

A. Stop feeling badly. They are breaking the law and your broker correctly refuses to be a party to the fraud.

Q. Can I advertise a rental for two people only?

A. No!

Q. Can I advertise a rental for an apartment where the owner lives in the house and does not want any children running above him in an upstairs apartment?

A. No! ●



LIBOR EDUCATION HOT TOPICS



Plan Your Education
Plan Your Growth
PLAN YOUR SUCCESS!

SAVE THE DATE

MLSLI TECH FAIR 2017

THURSDAY, OCTOBER 5, 2017 • Crest Hollow Country Club

NEW

3 DAY REALTOR TECH CERTIFICATION CLASS:
22.5 hours CE credit, including Ethics and free access to required Fair Housing class

Become a Real Estate Tech Pro! This course covers all the real estate technology needed to achieve and maintain a successful business. Students will leave with advanced knowledge of the ESSENTIAL tools every Long Island Realtor must know to service their clients efficiently and to close deals: Stratus, Collaborate, RPR, Instanet, Authentisign eSignatures, Realtor.com FIND and Homesnap Pro.

Class requires students that each student have their OWN active Stratus login id and password.

- West Babylon July 13, July 20 and July 27
- Riverhead Sept 14, Sept 21 and Sept 28
- Jackson Heights Sept 8th, Sept 15th and Sept 22
- Woodbury August 9, August 16 and August 23

Don't delay - these classes fill quickly!

REGISTER ONLINE:

[HTTP://LIREALTOR.COM/EDUCATION](http://LIREALTOR.COM/EDUCATION)

REGISTER BY PHONE: 631.661.4800 X2

NEW

NEW AGENTS: GET STARTED ON STRATUS!

FREE Stratus Demo lecture class

- West Babylon July 9
- Woodbury July 10
- Riverhead July 6
- Jackson Heights July 26

REGISTER ONLINE:

[HTTP://LIREALTOR.COM/EDUCATION](http://LIREALTOR.COM/EDUCATION)

REGISTER BY PHONE: 631.661.4800 X2

COURSES OFFERED AT SEVERAL CONVENIENT LOCATIONS!
WEST BABYLON • RIVERHEAD • JACKSON HEIGHTS • WOODBURY •
ROCKVILLE CENTER • SOUTHAMPTON

GOVERNMENT AFFAIRS

Capitol Hill Visit Recap

LIBOR Government Affairs

In May, REALTORS® from all over the United States converged on Washington, D.C. to lobby their Members of Congress. They discussed renewing the National Flood Insurance Program and preserving vital tax deductions for homeowners, which will protect the American dream of homeownership for years to come.

TAX REFORM

- NAR has stressed the importance of keeping two itemized deductions that give a vital boost to the real estate market; **Local Property Tax Deductions** and the **Mortgage Interest Deduction (MID)**. NAR is actively lobbying to keep these two deductions intact.

- The **current proposal** doubles the standard deduction, keeps the MID and eliminates the property tax deduction. This proposal has the potential to neutralize the value of the MID. Most homeowners itemize their taxes because the deductions from property taxes and mortgage interest were more valuable than the existing standard deduction.

- Without these deductions, the demand for homes could decline, because prospective homebuyers are used to the two major deductions that serve as a financial security net.

NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

- **The Renewal of the National Flood Insurance Program (NFIP)** allows homeowners to purchase affordable flood insurance.

- Losing federally subsidized flood insurance would be a deterrent to homebuyers in floodplains, thus affecting home value and sales.

REGIONAL IMPACT

- This region also stands to lose more than other areas in the country if property tax deductions and the MID are eliminated.

- The loss of subsidized flood insurance only adds to the problem.

- There are 85,000 NFIP policyholders in Long Island and 55,116 in New York City, with many of them in the low-lying areas of Queens.

- For these reasons, NAR is aggressively fighting for these modifications. ●