

THE REALTOR®



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LIRealtor.com

The Long Island Board of REALTORS® Commemorates the 50th Anniversary of the Fair Housing Act

By Charlotte Van der Waag
LIBOR President

For REALTORS®, the Fair Housing Act is one of our nation's most significant laws guiding the real estate industry today. Usually we recognize it with Fair Housing Month, celebrated in April each year. This year, the Long Island Board of REALTORS® will join REALTORS® across the country to embark on a yearlong commemoration of the 50th Anniversary of this major milestone in our nation's efforts to bring greater equal opportunities in the rights to private property and housing.

Our country's vibrant mix of cultures is what makes us great and gives us strength. It makes us who we are. As we commemorate the Fair Housing Act, it is important to recognize that any progress made stands on the shoulders of generations that preceded us. And we understand that there's still work to do. We work for the day when everyone will have the opportunity to experience the American dream.

Fair housing is more than a list of do's and don'ts, rights and penalties, and mandatory continuing education. As stewards of the right to own, use and transfer private property, fair housing protects our livelihood and business as REALTORS® and depends on a free, open market that embraces equal opportunity.

Over the years, the National Association of REALTORS® (NAR) has developed educational information on diversity and fair housing laws, programs and resources that have helped educate REALTORS® across the country on the importance of inclusive housing practices and the promotion of diverse homeownership. During the yearlong commemoration, REALTORS® will focus on three key elements: acknowledging

the organization's changing role in the fight for fair housing, understanding how we as a nation are constantly improving our commitment to fair housing



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LIBOR'S Consumer Advertising Campaign



The Long Island Board of REALTORS® has been supporting the National Association of REALTORS® initiative to promote the REALTOR® brand value to consumers. This ad is one in a series, that are running on a monthly basis in major newspapers in Nassau,

Suffolk and Queens. These ads are also circulated on all of LIBOR's social media and communication channels. Visit www.lirealtor.com/consumer-advertising-campaigns to download the current and previous month's ad, we encourage all of our members to share this content on your social media sites and with your clients as well. ●

From Where I Sit

By Joseph E. Mottola
 LIBOR Chief Executive Officer

The Genie is finally out of the bottle with respect to our exploration and efforts to form a regional MLS with Hudson Gateway Association of REALTORS® (HGAR) based in Westchester County. Our MLSLI Work Group, which has been meeting regularly with HGAR, has achieved the basic elements of common ground and hope to have final approvals by late Spring.

The Work Group had two main goals:

1) To create an MLS with the potential of serving the Metropolitan New York market area with its' population of 13 million in NY state and another 10 million in adjacent states

2) To provide MLS services with operational efficiencies resulting in improved products and services, better economies of scale and enhanced REALTORS®' satisfaction.

The next phase is to gain approvals from MLSLI, LIBOR, HGAR and the HGMLS followed by putting an initial Board of Directors in place. Once the new Board is in place, it will begin deciding the scope and type of services the Regional will provide. Since both organizations operate somewhat differently, the new Regional will have the responsibility of deciding how best to modify or expand services.

I'll just touch on a few things we have that's different. We have Field Reps who provide information and training during their broker office visits. The Regional may decide to implement that service in the HGAR area too. MLSLI has a range of products both for free and some for an added fee. Although HGAR offers some as well, the Regional over time could decide to provide additional products to both markets.

MLSLI also has a broad-based Computer Education and Training Program which is offered at our four Service Centers through LIBOR. The same applies to the Legal Helpline which is a LIBOR member service but accepts calls from Brokers on MLS issues. These services will still be provided through LIBOR to our members, but the new Regional may decide to offer these services in the expanded market.

The new Regional will need to adopt by-laws covering a wide variety of issues such as Nominating and Electing Officers and Board of Directors responsibilities.

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LIBOR's Launches New Dispute Resolution Center and Citation Policy

LIBOR is pleased to announce the launch of a new Dispute Resolution Center on www.LIRealtor.com. It will now be easier to navigate and learn all that LIBOR's Professional Standards Department has to offer its members.

Through LIBOR's new Dispute Resolution Center, we simplified the process of requesting our distinct Professional Standards services. These services include, Ombudsman, Mediation, and the handling of Ethics and Arbitration complaints.

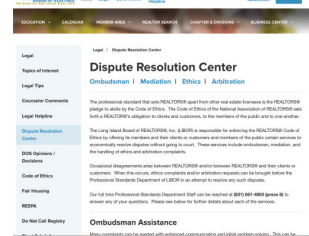
On-line forms are now available for all services, with the ability to attach your narrative and documents directly to the forms, which are electronically submitted to the PSC Department. Included in the Dispute Resolution Center is a detailed explanation of all the services LIBOR offers, with some useful tips to assist you along the way!

LIBOR also has implemented an Ethics Citation Program. Adopted by LIBOR's Board of Directors, this is a new and convenient method to improve the process of certain ethics complaints. The Citation Program is limited to specific Article violations of the REALTOR® Code of Ethics as listed on the table for citable offenses. The Citation Program is part of LIBOR's ongoing effort to ensure fairness and integrity in real estate transactions according to the REALTORS® Code of Ethics.

To view the new Dispute Resolution Center and learn about these valuable LIBOR services, including the new Ethics Citation Program, visit: <http://www.lirealtor.com/legal/dispute-resolution-center>. ●

The new Board of Directors will also have the responsibility of governing the Regional MLS and establishing a fee structure to fund the operation.

You can readily see that the work to be done is significant and complex. There actually is no Genie and no magical solutions. We are, however, very fortunate to have a Work Group with the dedication and commitment to deal with these complexities. MLSLI and LIBOR will be providing timely updates on their progress so you can be aware of all developments! ●



Recent Helpline Issues of Importance



By Cathy Nolan
Goldson, Nolan & Connolly P.C.

Q. Now that most of Queens comes under the new Cease and Desist Laws, where can I find the names of people I cannot contact?

A. The Department of State published and updates the list regularly. If you check on the DOS website, you can access the names.

Q. If sellers demand an unconditional release, am I obligated to give it to them?

A. No, but you must immediately stop marketing the property or referring to yourself as their agent. Their obligation to pay you may well still exist, but that depends on the language in the listing agreement.

Q. I took a listing but forgot to put the start and end date on the paperwork, although the sellers agreed to list with me for a year. Is my listing valid?

A. Probably not. Go back to the sellers and remedy the situation by putting in dates and having them initial where you added the new information, or re-execute the whole document, filling in all the information. If you and the sellers are in the midst of a disagreement over the listing, however, your listing may very well be considered invalid by the MLS, the Courts and The Department of State!

Q. Buyers came into my office, I had them sign agency disclosures showing that I was working for the sellers, either as a seller's agent or a broker's agent depending on whether I showed them listings in my own office or listings from other brokers. They said they did not have their own agent. We spent two days together and I showed them seven houses, one of which they offered to buy. It was my office's listing, although I was not the listing agent. We negotiated a price and terms with the sellers and the sellers and buyers are now in contract. My broker just got a call from a broker in another office who said she and one of her agents, who had shown those buyers over sixty houses and had promised to buy with that agent, wants us to put her office on the deal or at least pay them a referral fee because the agent worked

so hard with the buyers! Is that other broker and agent entitled to be paid on this? I feel as though I am being robbed!

A. Taking the facts as presented, I see no reason why that office is entitled to be paid by your office. The fact that the agent showed so many houses and worked so hard is irrelevant. The agent showed over sixty houses to the buyers that the buyers did not buy. You showed them one they did! The buyers may owe that office a commission if those buyers were her clients, but the buyers never revealed to you that they had an agent, stated they did not have an agent, apparently, you had no way of knowing if they did other than what they told you as there is no registry of buyer clients, and, if they told you an untruth and are indeed obligated to that office, the issue is between the buyers and that office and has nothing to do with you, your office or your deal. In effect, what that office is doing is looking to you for an unearned commission from your office, since your office only offered to pay a broker who was the procuring cause of a transaction on your office's listing. Since that agent and office had nothing to do with your transaction, your office has no obligation to pay them. Should there indeed be a buyer broker agreement between the other office and the buyers, the buyers are the ones who may owe that office a commission, depending on the wording of the agreement! Tell the other broker to pursue a remedy from the office's client, not from your office. Incidentally, if all the other office has is a disclosure that states the office is representing the buyer, that is not a buyer broker agreement.

Q. I have taken a listing from a seller whose house is very much in demand. The seller has only given me an office exclusive and refuses to pay enough for me to offer compensation to another office. Now a buyer agent wants to make an offer including his commission and my seller refuses to pay it and is now furious with me! Does the seller have to pay the buyer agent or do I have to pay the agent out of my listing commission?

A. Neither of you is obligated to pay the buyer's agent. If the buyer wants the house, the buyer will have to pay his own agent.

Q. An agent from another office brought a buyer to my office's listing. She said she was working as a buyer agent and gave me a disclosure to that effect. Then she brought that buyer again, showing me another disclosure stating she was a seller's agent. Now she brought the same buyer back a third time with an agency disclosure showing she is a broker's agent. What is she?

A. Confused! ●



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JUNE 7TH, 2018**

CREST HOLLOW COUNTRY CLUB

LIBOR NEWS

Fair Housing Act

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and ways REALTORS® strive to lead efforts to address fair housing policy issues.

Here, at the Long Island Board of REALTORS® (LIBOR), on a local level, REALTORS® will be celebrating the 50th Anniversary of the Fair Housing Act in many ways. LIBOR will be hosting its 30th Annual Education Conference, where approximately 1,000 REALTORS®, sponsors and affiliates will be attending. During the Education Conference there will be sessions directly related to Fair Housing issues. In addition, LIBOR's twelve Chapters and four Divisions will continue to work to facilitate the American Dream of home ownership for all people.

Together we will raise awareness and create action as we examine community and fair housing issues. We will reconfirm our commitment to upholding fair housing law, as well as our commitment to offering equal professional service to all in their search for a home or property. REALTORS® work hard to build strong communities and neighborhoods where all people can live and prosper. ●

RPAC's 13th Annual DAY AT THE RACES! **BELMONT PARK**



<p>WHEN: Thursday, May 10, 2018</p> <p>BUFFET LUNCH: 12:00pm to 2:30pm</p> <p>1ST RACE BEGINS: 1:00pm - 1:30pm</p> <p>PRICING: \$125.00 by 4/26/18 \$150.00 after 4/26/18</p> <p>Checks made payable to RPAC (Full amount will go toward your RPAC Contribution)</p> <p>Call: (631) 661-4800 ext. 354 or Register Online: lirealtor.com/rpac-day-at-the-races</p>	<p>INCLUDES: Finish Line Buffet in the Turf & Field Club, Private Betting Window, Clubhouse Admission and Post Parade Program</p> <p><i>Great Auction Items Plus Lots of Fun!</i></p> <p>Seating is Limited! You Must Pre-Register for this Event Deadline is 5/4/18</p> <p>NO TICKETS WILL BE SOLD AT THE DOOR.</p>
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Contributions are not deductible for income tax purposes. Contributions to RPAC are voluntary and are used for political purposes. You may contribute more or less than the suggested amount. You may refuse to contribute without reprisal and the National Association of REALTORS®, the New York State Association of REALTORS® or any of its local boards or associations will not favor or disfavor any member because of the amount contributed. 70% of each contribution is used by your state PAC to support state and local political candidates. Until your NYSAR PAC reaches its PAC goal 30% is sent to National RPAC to support federal candidates and is charged against your limits under 2 U.S.C. 441c, after NYSAR PAC reaches its RPAC goal it may elect to retain your entire contribution for use in supporting state and local candidates.