



111 S. LANSING ST, MT. PLEASANT, MI 48858

PHONE: (989) 773-2564 | FAX: (989) 773-0193

E-mail: office@cmiar.com or holly@cmiar.com

Website: www.cmiar.com

LORI RHYNARD—ASSOCIATION EXECUTIVE

HOLLY BAXTER—ADMINISTRATIVE ASSISTANT



www.cmiar.com

## General Membership Meeting

October 20th 8:30am

Masonic Pathways, Alma

Breakfast will be served

On the agenda:

- Election results
- Vote to approve bylaws changes and 2015-16 budget (we will post the changes on our website, cmiar.com prior to the GMM)
- Committee chair reports
- Speaker

Come one, come all!

Look for the sign up sheet...

CENTRAL MICHIGAN ASSOCIATION OF REALTORS®

# NEWSLETTER

VOLUME 7, ISSUE 9

September 2015

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## SEPTEMBER CALENDAR

2nd	
Bylaws Committee	1:00pm
3rd	
Building Committee	1:00pm
7th	
CMAR office closed—Labor Day	
8th	
Board of Directors Meeting	8:30am
14th	
Publicity & Public Relations Committee	9:00am
15th	
Education Committee	9:00am
Executive Committee	10:00am
16th	
Bylaws Committee	1:00pm
23rd	
Membership/Benefits Drive Committee	8:30am
30th	
Bylaws Committee	1:00pm

## OCTOBER CALENDAR

5th	
Publicity & Public Relations Committee	9:00am
8th	
Forms Committee	9:00am
13th	
Board of Directors Meeting	8:30am
20th	
General Membership Meeting	8:30am
Membership/Benefits Drive Committee	10:30am

Find Calendar of events and meetings anytime on our website [cmiar.com](http://cmiar.com). Look for the

### MONTH SALES COMPARISONS

	August 2014	August 2015
<b>Units Sold</b>	110	79
<b>Average Sale</b>	\$104,607	\$111,705
<b>Total</b>	\$11,506,850	\$8,824,770

**Rick Ervin**  
Branch Manager

Phone 989 775-8700  
Cell 989 621-0732  
Fax 989 775-8711

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NMLS# 169457      State Lic# 169457  
Company NMLS# 3113      Company St. Lic# FR-0017700

Rick.Ervin@AcademyMortgage.com  
www.AcademyMortgage.com

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**Elise Pillote**  
Financial Services Officer  
NMLS ID# 685691

www.greenstonefcs.com

elise.pillote@greenstonefcs.com

**ISABELLA**  
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**Leslie J. Thielen**  
Mortgage Loan Officer

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Ph. 989-779-6334      lthielen@isabellabank.com  
Fx. 989-775-8209      www.isabellabank.com

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**James I. McClain**  
Mortgage & Commercial  
Loan Manager NMLS #405270

phone: 989.773.5927 x230  
toll free: 866.773.5927  
fax: 989.773.8757  
jmccain@iccuonline.com

2400 S Isabella Rd • PO Box 427  
Mt. Pleasant, MI 48804-0427

www.ICCUonline.com

**DAVID F. SMITH**  
OFFICER  
BRANCH MANAGER

258 WEST WRIGHT AVENUE  
SHEPHERD, MI 48883  
989.828.6625  
FAX 989.828.6923  
dsmith@mercbank.com

www.mercbank.com

## Directors Corner

### Update from August's Board of Directors Meeting:

- NGLRMLS Report: Zillow contract has been signed. It is an 'opt in' contract. 3-year term with no cancellation by either party for the first year.
- Presidents Report: Meeting with Greater Lansing Association of Realtors for 8/17 has been cancelled. No meeting date has been agreed to.
- Motion by Walton, support by Lott to accept the proposed Bylaws changes to be put before the General Membership at the October GMM. PASSED.
- Motion by Welling, support by Alexander to accept the Joint Agreement of Cooperation for purpose of Professional Standards enforcement between CMIAR and MCAR. PASSED.
- Discussion took place regarding the nomination process for BOD positions.
- Corrections to the BOD minutes need to be made available on the Association web site. More discussion at the September meeting.

For more complete minutes from the Board of Directors Meeting, visit our website at [cmiar.com/members/bodagendas.htm](http://cmiar.com/members/bodagendas.htm)

Look for the official  
slate of Candidates  
mid-September!

**BE HERE** IT'S YOUR TIME TO  
**SAN DIEGO SHINE**  
2015 REALTORS'  
Conference & Expo  
November 13-16 | San Diego  
**REGISTER TODAY!**  
NATIONAL ASSOCIATION of REALTORS®

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Kerry Leonard  
REGIONAL LENDING MANAGER  
kleonard@wanigas.com  
P.O. Box 338 ■ Alma, MI 48801 ■ [www.wanigas.com](http://www.wanigas.com)

#### **WELCOME NEW AGENTS:**

Sherri Hessbrook, America's Choice Realty  
William Allen, Parks Realty  
Jeff Dawley, Quick Estates  
Cindy Taylor, Miller Realty—Ithaca

#### **BEST WISHES TO AGENTS MOVING ON:**

Aaron Abair

## 2014-2015 Leadership

### **PRESIDENT**

Jim Parsons

### **PRESIDENT ELECT**

### **PAST PRESIDENT**

Sue Welling

### **TREASURER**

Leslie Walton

### **SECRETARY**

Julie Rush

### **DIRECTORS**

Barbara McCollom

Dave Zamarron

Rick Arlt

Randy Golden

Lee Aldrich

Meredith Lott

Marci Browne

### **AFFILIATE**

### **DIRECTOR**

Paul Alexander

#### CMAR Mission Statement

Central Michigan Association Of REALTORS® is dedicated to serving the community by preserving private property rights and providing educational, ethical, and professional services while holding the REALTOR® to a high standard of accountability.

## The Code Is Your Business

MARCH 2015 | BY GRAHAM WOOD, BRUCE AYDT

Working in real estate comes with its fair share of irritations. Agents who don't return calls in a timely manner or clients who make inappropriate demands can be frustrating, to say the least. But discerning when difficult behavior crosses the ethical line can sometimes be tricky—whether it pertains to your dealings with other REALTORS<sup>®</sup>, clients, or the general public. To help you distinguish actual infractions from misunderstandings or simply poor manners, we look at five real-life business dilemmas and describe how the REALTORS<sup>®</sup> Code of Ethics applies.

CONTINUED FROM AUGUST'S ISSUE...

### Soliciting Another Agent's Listing or Buyer Agreement

The only time an agent may not solicit another agent's client is when that client is subject to an exclusive agreement with his or her agent. However, when a client has a nonexclusive agreement with an agent, the client is fair game to any other agent.

Exclusive agreements are in the best interest of the client, which is why the Code offers them protection. With nonexclusive agreements, sellers, for example, may work with several listing agents to list a property, but the agent who procures the buyer is the only one who gets paid. That offers little incentive for the listing agents to work hard for the seller when they know they may not receive compensation. In exclusive agreements, the client works with one agent, and that incentivizes the agent to do his or her best for the client.

Tammy O'Neill, an agent with RE/MAX Fine Homes in Newport Beach, Calif., had another agent go after her client despite their exclusive buyer agreement.

"I had an agent go to my client's house right after I showed that agent's listing and solicit my client to work with her in finding a home," O'Neill says. "Yes, she went right to the door and tried to steal my client. Needless to say, it didn't work, and my client and I closed on a beautiful house."

The offending agent's actions constituted a Code

violation because she initiated contact with a client who was already subject to an exclusive buyer agreement. However, there are conditions where certain interactions between a client bound by exclusivity and another agent are fair.

What the Code Says (Article 16): On the seller side, sending mass mailings to groups that may incidentally include an owner who is exclusively listed with another agent doesn't violate Article 16. However, REALTORS<sup>®</sup> are prohibited from discussing listing a property with such an owner—unless the owner initiates the contact. On the buyer side, SOP 16-9 requires that before a REALTOR<sup>®</sup> enters into an exclusive buyer agreement, he or she must use reasonable efforts to determine whether the buyer is already subject to one. Should the REALTOR<sup>®</sup> find that the buyer is already subject to an exclusive buyer agreement, the REALTOR<sup>®</sup> must direct the buyer back to his or her exclusive broker unless the buyer directs them otherwise. □



**HBA**  
HOME BUILDERS ASSOCIATION  
OF CENTRAL MICHIGAN

**Carmelina Crisci**  
*Executive Officer*  
(989) 775-7747  
Cell (989) 621-6891  
Fax (989) 775-7748  
carmi@hbacm.com  
www.hbacm.com

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## MAR Legal Lines – Question of the Month

**W**ith the help of McClelland & Anderson, we are taking the most recently asked questions from our legal hotline and putting them in E-news. We will be featuring a different question each issue.

### QUESTION:

I am listing a 10-acre residential property that is traversed by a utility easement. The easement will service a housing development in the near future. Is my seller required to disclose this easement?

### ANSWER:

YES. The Seller Disclosure Act requires that a seller of residential property disclose any easements affecting that property.

For more Legal Q&A, visit <http://www.mirealtors.com/Legal-Resources>

## WELCOME NEW AFFILIATES!

### Alma Abstract & Title

**Terie L. Biddinger**  
Manager

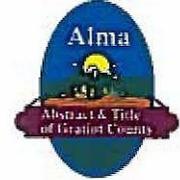
310 N. State St.  
Alma, MI 48801

[tbiddinger@almaabstract.com](mailto:tbiddinger@almaabstract.com)

Phone: (989) 463-8325

Fax: (989) 463-2363

[www.almaabstract.com](http://www.almaabstract.com)



Sheri Cereska has retired, and we wish her well.  
Now we are welcoming Terie Biddinger!

## BEST WISHES TO AFFILIATES MOVING ON:

Tyler Wilk, Farmer's insurance  
Gerrit Powell, R. Oberlitner Well Drilling  
Levon Garbooshian, Genisys Mortgage

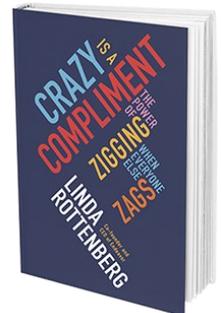


**YOUR OFFER DATES:** September 1 to 15, 2015

**YOUR ACTION:** Register for the 2015 REALTORS® Conference & Expo

**YOUR REWARD:** A copy of conference speaker Linda Rottenberg's book "Crazy Is a Compliment: The Power of Zigging When Everyone Else Zags" and a chance to win a \$250 Gift Card

**REWARD VALUE:** \$27.95



An MVP+ link is available on our website at [cmiar.com/members/index.html](http://cmiar.com/members/index.html)

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### CMAR Vision Statement:

CMAR, a premier REALTORS® Association, provides focused educational opportunities, enriched membership services, community involvement, and expansion of technology for its members and the public.

# TAKE ACTION!

Please [take action](#) today on patent reform! Here are 3 reasons why this issue matters to REALTORS® like you.

1. H.R. 9 – The Innovation Act will take vital steps to protect our industry from frivolous lawsuits brought by patent trolls.
2. Far too many REALTORS®, Brokers and MLSs have been the subject of aggressive demand letters and expensive and time consuming attacks– don't let yourself, your company or a fellow REALTOR® come the next victim of blatant extortion.
3. In Michigan your participation rate is 14.60% which means you are only 1078 away from reaching the national participation goal of 20%. Take action and help your state reach 20%.  
As your 2015 NAR President, I have seen the power REALTORS® have when we speak with one voice. You are vital to our public policy success and I ask that you reach out and urge your Representative to support of H.R. 9 – The Innovation Act.

We know Congress responds when REALTORS® act. Thank you for standing up to protect your industry and REALTORS® from these egregious lawsuits against our business. [Take Action today!](#)

[visitwww2.realtoractioncenter.com](http://visitwww2.realtoractioncenter.com)

Chris Polychron  
2015 NAR President

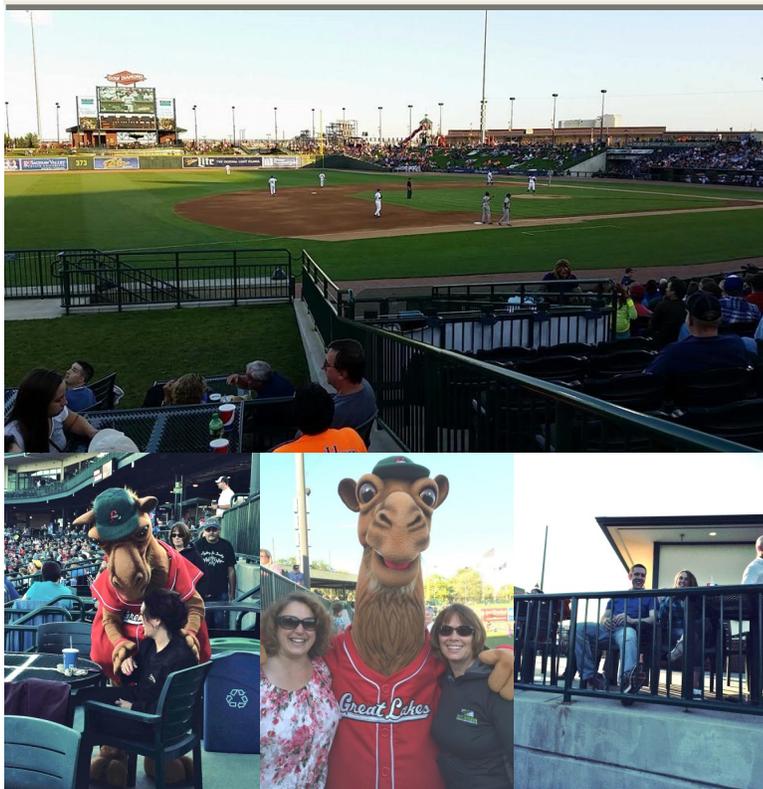


The Membership/Benefits Drive Committee is proud to announce the winner of the 2015 Affiliate Drive:

**Paula Arndt!**

Thank you to all those who referred members of all kinds to our Association. We received 15 new memberships!

## Great Lakes Loons Game!



## Mt. Pleasant Water Testing

*Well & Septic Inspections*

*Water Testing Lab*



5701 W. Baseline Rd.  
Weidman, MI 48893

Phone: 989-644-8269  
Fax: 989-644-3295