

RAYAC Connection

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2020 Board of Director Candidates

Melinda Eppolito



Ed Bender



Nathan Krotzer



Candidate profiles will appear in the September newsletter and on rayac.com so members can learn more about these candidates.

Thank You!

THANK YOU to everyone who contributed \$20,975 to RPAC including these RPAC leaders!

Governor's Club

(\$500-\$999.99)

Steve Brown
Patricia Carey
Lee Garlin
Jim Warfield
Ken Worley

Capitol Club

(\$250-\$499.99)

Bob Aldinger
Dolly Bailey
Dave Bode
Adam Flinchbaugh
Elle Hale
Tamra Peroni
Sue Pindle
Sue Reed
Bill Shanbarger
Drew Smith

\$99 Club

(\$99-\$249.99)

Marie Arcuri	Susan Becker
Tami Behler	Edward Bender
Dennis Berkebile	John Bowman
Peg Bucher	Suzanne Christianson
Barbara Deardorff	Chris Dell
Casey Dougherty	Brenda Drawbaugh
Nathan Elfner	Wade Elfner
Melinda Eppolito	Debbie Folmer
Judy Givens	Deborah Goodling
Judy Henry	George Herman
Joshua Jackson	Michele Jones
Glenda Kane	Richard Keller
Jennifer Kibler	Shane Laucks
John Linton	Tina Llorente
Cynthia Mann	Deborah McLaughlin
Debra McManus	Robin Mede-Butt
MJ Musser	Robyn Pottorff
Mary Price	Holly Purdy
Brenda Riddle	Selina Robinson
James Savard	Marty Sowa
Amanda Stiles	Jason VanDyke
Donna Walker	Shelley Walter



RAYAC CHARITY BOWL-A-THON
BOOGIE ON DOWN TO SUBURBAN
BOWLERAMA FOR BOWLING 50'S STYLE!

08.08.19
REGISTRATION: 5:00 PM
BOWLING: 6:00 PM
\$175 A TEAM (5 PEOPLE)
SUBURBAN BOWLERAMA
1945 S. QUEEN STREET, YORK

Come dressed as if you are currently living in the 1950's. Prizes will be awarded to the participants with the best costumes!

PROCEEDS BENEFIT THE RAYAC FOUNDATION

RAYAC YPN CORNHOLE TOURNAMENT

Thank you to our sponsors:

- Community Settlement
- Homeland Environmental
- First American Home Warranty
- Fulton Mortgage

THURSDAY, SEPTEMBER 26
5:00 PM
GOOFY'S
5965 YORK ROAD
SPRING GROVE, PA 17362
\$10 A TEAM (2 PEOPLE)





**2019 RAYAC
Annual Business
Meeting**

COME LISTEN TO TERRY WATSON TAKE YOUR
BUSINESS TO THE NEXT LEVEL!

DATE: OCTOBER 17 | REGISTRATION: 8:00 AM

MEETING: 9:00 AM | LOCATION: WYNDHAM GARDEN

FREE TO RAYAC MEMBERS

Board of Directors Summary

July 11, 2019

Action Items

- Brokers will be notified of any mediation taking place within their brokerage.
- A request was made to fund a market features survey. A similar survey was conducted in 2015 and this would be an update to that survey. The results of the survey would be a beneficial tool for both appraisers and agents when preparing a market analysis.

Reports

- Bright continues to work on the tax records.
- Geojet has launched. After the 30 days to access for free is over, it will cost \$19.99 per month to continue access.

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 <p>Connie Kern Mortgage Loan Officer NMLS #: 480617 717.968.1017</p>	 <p>Andy Berryman Senior Mortgage Loan Officer NMLS #: 144458 717.295.4728</p>

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Membership News

New Members

Jessica Corbi, Berkshire Hathaway (H)
Casey Crotty, ReMax Pinnacle
Eric Dadeboe, Keller Williams
Keith Jackson, Iron Valley
James Jacoby, Berkshire Hathaway (H)
Terry Ridolfi, Coldwell Banker
Andrew Schweigman, Douglas Realty, LLC
Adam Sechrist, Berkshire Hathaway (D)
Sherri Ann Sembly, Keller Williams
Gregory Troupe, Berkshire Hathaway (D)
Tyler Welker, Keller Williams

Member Changes

DanYelle Batts, EXP Realty, LLC
Cody Crumling, C21 Dale York
Ernestina Paola Glace, EXP Realty
John Inch, Jr., Property Management Unlimited
Russell T Nash, Iron Valley
Sean Patterson, Sites Realty, Inc.
Bradley N Shafer, Sites Realty, Inc.
Christina F Shepherd, Joseph A Myers Real Estate
David L Sites, Sites Realty, Inc.
Nicholas Wagner, ReMax Patriots
Donna Walker, Sites Realty, Inc.
Scott Waybrant, Sites Realty, Inc.

Member Drops

Christopher Coleman, Berkshire Hathaway (W)
Kimberly Watson, Keller Williams Keystone

New Office/Brokerage

Sites Realty, Inc.
 571 West Middle Street
 Gettysburg, PA 17325
 717-334-4674

Property Management Unlimited
 1013 N. George Street
 York, PA 17404
 717-848-1579

Office Changes

None

Office Drops

None

New Affiliates

Mike Sheely Home Inspections
 1000 Wolfe Road
 Enola, PA 17025
 717-732-65378

Affiliate Changes

None

Affiliate Drops

None

Membership Stats

(as of 7/19)

	<u>2019</u>	<u>2018</u>
Designated REALTORS	123	120
Primary REALTORS	1009	941
Secondary REALTORS	72	56
Pending Applicants	<u>10</u>	<u>14</u>
Total REALTORS	1214	1131
Affiliates	<u>108</u>	<u>104</u>
Total Members	1322	1235

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Residential and Commercial Real Estate

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August

- 1 Program Social Committee Meeting, 9:30 am
- 6 Bowlathon Committee Meeting, 10:00 am
- 6 Political Affairs Committee Meeting, 2:00 pm
- 7 Homesnap Training Class, 10:00 am
- 8 Board of Directors Meeting, 9:00 am
- 8 Homesnap Training Class, 10:00 am
- 8 Bowlathon, Suburban Bowlerama, 5:00 pm
- 9 New Member Orientation, 8:30 am
- 12 Hands on Helpers Committee Meeting, 2:00 pm
- 13 Member Communications Committee Meeting, 9:30 am
- 13 Bag Bingo Committee Meeting, 11:00 am
- 14 Community Relations Committee Meeting, 2:00 pm
- 19 Bright Training, New Agents Class, 9:00 am
- 19 Bright Training, Tips & Tricks, 11:30 am
- 21 Budget Finance Committee Meeting, 9:00 am

Bookmark These Online Resources

REALTORS® Association of York & Adams Counties

<http://rayac.com/>

Pennsylvania Association of REALTORS®

www.parealtor.org

National Association of REALTORS®

www.nar.realtor

Thirsty Thursday Recap

Thank you to everyone that came to the Thirsty Thursday at Bridgewater Golf Club. Everyone enjoyed delicious appetizers, drinks and good company.

Thank you to **Alternate Avenue, LLC, AnnieMac Home Mortgage, and CGA Law Firm** for sponsoring the event.

Congratulations to our \$25 gift card winners:

Christine Dell

Shane Laucks

Lisa Myers

Melissa Ruffing

Sue Ullmann

Reid Weinbrom

Home Sweet Loan.

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Mortgage Loan Originator
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Barbara Livelsberger
Mortgage Loan Originator
NMLS ID: 587706
Phone: 717.339.5015



Barb Guise
Mortgage Loan Originator
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BH Homesale, 757-7811

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Sue Pindle '21
RE/MAX Quality Service,
632-5111

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Stock & Leader, 846-9800

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CB Residential, 854-9242

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BH Homesale, 633-7300

Selina Robinson, '20
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John P. Wiga, '20, GRI
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Bright MLS Monthly Statistics

REALTORS® Association of York and Adams Counties
(RAYAC)



Analysis by Jonathan J. Miller, Miller Samuel

• The number of sales for the two counties that comprise the RAYAC coverage area fell below year-ago levels. Price trend indicators for York County remained mixed while Adams County trends continued to show upward price pressure.

York County Overall Monthly Core Metrics	Jun-19	MOM%	May-19	YOY%	Jun-18
Average Sales Price	\$202,733	-1.6%	\$205,933	-0.6%	\$203,870
Average Price Per Square Foot	\$102	-1.0%	\$103	4.1%	\$98
Median Sales Price	\$185,000	-3.0%	\$190,750	-2.6%	\$189,900
Number of Sales	573	-5.3%	605	-12.5%	655
Median Cumulative Days on Market	15	0.0%	15	-16.7%	18
Average Days on Market (Previous)	43	-8.5%	47	-10.4%	48
Average Listing Discount (Previous)	1.3%		1.3%		1.0%
Sold Price/List Price	98.7%		98.7%		99.0%
Total Sales Volume	\$116,165,975	-6.8%	\$124,589,231	-13.0%	\$133,534,851
Total Listing Inventory	1,651	0.9%	1,636	-38.7%	2,694
New Listing Inventory	815	-4.3%	852	-4.3%	852
Months of Supply	2.9	7.4%	2.7	-29.3%	4.1
Adams County Overall Monthly Core Metrics	Jun-19	MOM%	May-19	YOY%	Jun-18
Average Sales Price	\$232,854	1.8%	\$228,650	13.1%	\$205,838
Average Price Per Square Foot	\$111	-1.8%	\$113	3.7%	\$107
Median Sales Price	\$197,800	-7.9%	\$214,750	2.5%	\$193,000
Number of Sales	103	-9.6%	114	-20.8%	130
Median Cumulative Days on Market	17	-34.6%	26	-19.0%	21
Average Days on Market (Previous)	55	-14.1%	64	3.8%	53
Average Listing Discount (Previous)	2.2%		2.9%		2.5%
Sold Price/List Price	97.8%		97.1%		97.5%
Total Sales Volume	\$23,983,939	-8.0%	\$26,066,100	-10.4%	\$26,758,954
Total Listing Inventory	463	-5.3%	489	-32.0%	681
New Listing Inventory	158	-24.4%	209	-12.7%	181
Months of Supply	4.5	4.7%	4.3	-13.5%	5.2

Bright MLS Monthly Statistics

REALTORS® Association of York and Adams Counties
(RAYAC)



Analysis by Jonathan J. Miller, Miller Samuel

York County By School District	Jun-19	MOM%	May-19	YOY%	Jun-18
Central York School District (Median)	\$239,900	6.2%	\$226,000	-2.1%	\$245,000
Central York School District (Closed Sales)	39	30.0%	30	-40.0%	65
Dallastown Area School District (Median)	\$210,400	12.6%	\$186,900	7.9%	\$194,950
Dallastown Area School District (Closed Sales)	57	3.6%	55	-18.6%	70
Dover Area School District (Median)	\$165,950	-6.8%	\$178,000	9.2%	\$152,000
Dover Area School District (Closed Sales)	26	-38.1%	42	-46.9%	49
Eastern York School District (Median)	\$171,500	-3.9%	\$178,395	0.9%	\$169,950
Eastern York School District (Closed Sales)	17	-10.5%	19	-39.3%	28
Hanover Public School District (Median)	\$139,900	-6.1%	\$148,950	-3.5%	\$144,950
Hanover Public School District (Closed Sales)	11	-31.3%	16	-54.2%	24
Northern York County School District (Median)	\$259,500	-10.5%	\$290,000	15.3%	\$225,000
Northern York County School District (Closed Sale)	17	-32.0%	25	-48.5%	33
Northeastern School District (Median)	\$160,000	-13.5%	\$185,000	-12.3%	\$182,500
Northeastern School District (Closed Sales)	29	20.8%	24	-32.6%	43
Red Lion Area School District (Median)	\$225,000	12.5%	\$200,000	17.7%	\$191,200
Red Lion Area School District (Closed Sales)	45	-10.0%	50	-13.5%	52
South Eastern School District (Median)	\$252,450	6.2%	\$237,718	9.0%	\$231,525
South Eastern School District (Closed Sales)	26	18.2%	22	36.8%	19
South Western School (Median)	\$202,359	-12.0%	\$229,950	2.3%	\$197,750
South Western School (Closed Sales)	46	9.5%	42	-11.5%	52
Southern York County School District (Median)	\$272,500	25.0%	\$218,000	1.7%	\$267,900
Southern York County School District (Closed Sale)	30	0.0%	30	11.1%	27
Spring Grove Area School District (Median)	\$197,500	3.9%	\$190,044	6.8%	\$185,000
Spring Grove Area School District (Closed Sales)	40	-9.1%	44	37.9%	29
West Shore School District (Median)	\$226,800	2.6%	\$221,000	7.5%	\$211,000
West Shore School District (Closed Sales)	43	30.3%	33	-12.2%	49
West York Area School District (Median)	\$164,000	2.6%	\$159,900	2.2%	\$160,500
West York Area School District (Closed Sales)	29	-6.5%	31	-14.7%	34
York City School District (Median)	\$61,500	-3.9%	\$64,000	-12.1%	\$70,000
York City School District (Closed Sales)	32	-22.0%	41	-22.0%	41
York Suburban School District (Median)	\$163,450	-10.4%	\$182,450	-3.8%	\$169,900
York Suburban School District (Closed Sales)	32	0.0%	32	-22.0%	41
Adams County By School District	Jun-19	MOM%	May-19	YOY%	Jun-18
Bermudian Springs School District (Median)	\$170,000	-15.0%	\$199,950	-15.2%	\$200,500
Bermudian Springs School District (Closed Sales)	7	-12.5%	8	-56.3%	16
Conewago Valley School District (Median)	\$189,900	17.2%	\$162,000	0.2%	\$189,450
Conewago Valley School District (Closed Sales)	25	-19.4%	31	-37.5%	40
Fairfield Area School District (Median)	\$246,000	9.3%	\$225,000	26.2%	\$195,000
Fairfield Area School District (Closed Sales)	5	-61.5%	13	-61.5%	13
Gettysburg School District (Median)	\$245,000	-3.9%	\$255,000	17.2%	\$209,000
Gettysburg School District (Closed Sales)	31	-6.1%	33	-20.5%	39
Littlestown Area School District (Median)	\$191,450	-1.8%	\$194,900	3.5%	\$185,000
Littlestown Area School District (Closed Sales)	16	-5.9%	17	-5.9%	17
Upper Adams School District (Median)	\$196,000	17.2%	\$167,250	81.5%	\$108,000
Upper Adams School District (Closed Sales)	9	125.0%	4	12.5%	8

YPN Presents: A Day at the Ballpark

Thank you to everyone that came to the York Revolution game! It was a wonderful time and the weather was absolutely perfect!




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HOMESNAP TRAINING AT RAYAC



CLICK HERE TO REGISTER!

REALTORS Association of York & Adams Counties
August 7 & August 8 @ 10:00am

901 Smile Way, York, PA 17404

REGISTER TODAY!

Bright Classes at RAYAC – August 19, 2019

Whether you're just getting started, or you're a more experienced agent who just wants to brush up and learn some new tips, you will benefit from attending our Bright training classes. Offered every month, this is your chance to keep up with the latest information, and bring your toughest questions.

Intro to Bright MLS

9:00 am – 11:00 am

Objectives:

- Designed for beginners, this session will help you learn how to set up the Bright system, and contact Bright management and support. Topics include Search, and the Basics of Emailing.

Bright Custom Clinic—Tips & Tricks

11:30 am – 12:30 pm

Objectives:

- Maximize your effectiveness by learning some tips and tricks of the trade.

For additional questions, please contact Mireya Carlsen at mireya@rayac.com

Ask your questions LIVE with a trainer: YouTube Hands-on Clinics



Check out Bright's YouTube Channel by [here](#).



KNOW MORE. DO MORE.

Straight TALK



RAYAC Safety Event

Monday, September 9, 2019

9:00 am - 12:00 noon

RAYAC Classroom

Sponsored by:

First American Home Warranty

Light breakfast will be served

September is REALTOR® Safety Month!

RAYAC is offering a multi-faceted program to help you learn more about staying safe. Our event includes information on personal/professional safety, online safety, and a self-defense demonstration! Cost is \$10.

Don't miss this timely and informative session!



To register, visit your Member Portal at www.rayac.com

Presenters:

Cyber Security:

Brett M. Woodburn, Esq.

Personal/Professional Safety:

Paula Musselman

Self-Defense Instructor:

Sensei Tony Abel





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RAYAC Course Catalog Fall 2019

Real Estate Licensees: 14 hours of continuing education must be completed by May 31, 2020 for license renewal

New Agents: must complete (2) Module courses by May 31, 2020 for license renewal

Association Members: NAR Biennial Code of Ethics training must be completed by December 31, 2020

Real Estate, Broker/Designation, & Ethics Classes

Real Estate Continuing Education

See the last page of this catalog to find out how to save money with the SMARTPASS!

Tuesday, October 8, 2019	Oddballs: Pricing & Valuing Unusual Properties	Cost: \$40.00
8:30 AM - 12:00 Noon	Instructor: Melanie McLane	3.5 hours Real Estate CE

Everyone can price the generic 3 bedroom ranch or 4 bedroom Colonial, but what do you do with an oddball? Oddballs have unusual sizes, lot sizes, features, lack of features, individualized styles and décor, and much more. Pricing unusual properties is a challenge for appraisers and agents alike. Appraisers are charged with valuing a property in terms of definitions of fair market value, which usually includes a definition of a “typical buyer”. However, many oddball properties do not appeal to “typical buyers”. Discussion will include identifying the relevant characteristics of a property, as well as determining the Scope of Work for the assignment. A second challenge is getting mortgage loans approved for these properties - we will explore the use of portfolio lenders, and how this often applies to oddballs. Come get some great tips for how to price the oddballs in your world!

Tuesday, October 8, 2019	Understanding Assessments	Cost: \$40.00
1:00 PM - 4:30 PM	Instructor: Melanie McLane	3.5 hours Real Estate CE

How do tax assessments work in Pennsylvania? In this class, you will learn about the assessment process in PA for both agents and appraisers, and understand how they affect the marketing, sale, and valuation of real estate. The following topics will be discussed: how assessments are completed (including who is responsible, and how often); the difference between mass appraisal and single-property appraisal; the current ‘patchwork’ of assessments in PA, with some counties completing assessments frequently, and others going for years without a reassessment; common-level ratios; how to interpret a current assessed value in the context of the county and the property; the gas industry and its effect on assessment, Clean and Green; the Homestead Exemption; how and when a tax assessment should be appealed; and the impact on value in the marketplace from an assessed value.

REQUIRED FOR THE 2020 RENEWAL CYCLE

For the 2018—2020 license renewal cycle, the Pennsylvania State Real Estate Commission has mandated that all licensees complete 2 hours of education in the area of Advertising, and 1.5 hours in the area of Property Management, before renewing their licenses in 2020.

The RAYAC course Advertising & Property Management meets this Real Estate Commission requirement.

In addition, it meets the NAR Biennial Ethics requirement, which is due by December 31, 2020

Monday, October 14, 2019 COE: Advertising & Property Management Cost: \$ 40.00

8:30 AM - 12:00 Noon Instructor: Melanie McLane 3.5 hours Real Estate CE

Complete ALL your mandatory course requirements in one 3.5 hour course!

In this required class, we will review the Pennsylvania State Real Estate Commission rules and regulations, as well as Federal laws, such as Regulation Z, HUD guidelines, social media, and what agents must do to comply with these laws. We will also review RELRA regulations regarding requirements to manage property in Pennsylvania, and review Fair Housing guidelines. In addition, we will correlate state laws, regulations, and the responsibilities agents have to the REALTOR® Code of Ethics.

This course will provide the mandatory 2 hours of review of real estate advertising guidelines, both from RELRA and other regulators, and the required 1.5 hours of review of RELRA regarding property management. The NAR mandatory Code of Ethics training has also been incorporated into this class.

Monday, October 14, 2019 Drilling Down with RPR (Residential) Cost: \$40.00

1:00 PM - 4:30 PM Instructor: Melanie McLane 3.5 hours Real Estate CE

Learn how to use the technology available through the REALTORS® Property Resource (RPR), an AVM available to agents, to not just price a property, but to understand neighborhood trends. At the end of the course, students will be able to: identify the resources found in the RPR tool for residential use; correlate the questions consumers have about real estate, neighborhoods, schools, etc. with the data available in RPR; understand how to use RPR as a tool to answer consumers' questions and provide better service; incorporate into their practice the use of RPR as a tool for buyers and sellers.

Wednesday, November 13, 2019 What Do I Do When? Cost: \$80.00

8:30 AM - 4:30 PM Instructor: Melanie McLane 7 hours Real Estate CE

Ever wonder how to handle an unusual situation? This course is designed to provide answers to situations that students might experience, whether on the listing side, or the selling side. Topics include: what should you do when you suspect coercion or fraud, when you are threatened, or when the client's requests cannot be met. Should a licensee talk to an appraiser? What information could/should the agent share? Does the business need to be combative? Join us for a lively, interactive class about how to best protect yourself, your clients, and remain in compliance with laws, regulations and USPAP. Lunch is included.

REQUIRED FOR NEW AGENTS

Thursday, September 26, 2019 Real Estate Essentials (General Module) Cost: \$80.00

8:30 AM - 4:30 PM Instructor: Mike Perry 7 hours Real Estate CE

REQUIRED FOR ALL NEW AGENTS: This is one of the two required 7-hour courses that all agents licensed after 12/1/17 must complete. Topics covered include: duties of licensees, closing costs for buyers and sellers, the agreement of sale and addenda, title reports, zoning, agency relationships, and environmental concerns. This class fulfills the Real Estate Commission requirement for agents renewing their licenses for the first time.

Wednesday, October 23, 2019 Residential Real Estate 101 (Residential Module) Cost: \$80.00

8:30 AM - 4:30 PM Instructor: Melanie McLane 7 hours Real Estate CE

REQUIRED FOR NEW RESIDENTIAL AGENTS: This is the second required course for agents licensed after 12/1/17 (who are doing primarily residential work). Topics covered include: the Uniform Construction Code and zoning, environmental issues, types of construction, land development, home inspections and warranties, mortgage information, foreclosure and short sales, fair housing, and the agreement of sale.

COMMERCIAL AGENTS: The required Commercial Module, along with a full slate of Commercial classes, will be offered Spring 2020

License Renewal Information

The current license renewal cycle started on June 1, 2018 and runs through May 31, 2020. All licensees must complete 14 hours of continuing education by May 31, 2020 in order to renew their licenses.

For this current cycle, the PA Real Estate Commission has mandated that, of those 14 hours, 2 hours must be in the area of Advertising, and 1.5 hours must be in the area of Property Management.

New Agents: All agents renewing their licenses for the first time are required by the PA Real Estate Commission to complete 2 seven-hour courses. The first course, required for **ALL** agents, is the General Module. The second required class is **EITHER** the Residential Module, **OR** the Commercial Module, depending on which type of real estate you practice. Each course is approved for 7 hours of Real Estate CE, so that would complete the 14 hour renewal requirement. Agents who must complete these modules are exempt from the Real Estate Commission mandate to take education in the areas of Advertising/Property Management.

If a license is/was issued between December 1, 2017 and November 30, 2019, the agent must complete the modules to meet the CE requirement for renewal.

If a license is issued between December 1, 2019 and February 29, 2020, the agent must renew their license by May 31, 2020, but will be exempt from the CE requirement.



BROKER/DESIGNATION/CERTIFICATION COURSES—FALL 2019

Accredited Staging Professional (ASP Designation)

September 10 & 11, 2019	14 hours Real Estate CE	8:30 AM—5:00 PM
Instructor: Sandy Earnhart		Cost: \$295.00 (lunch included)

We've partnered with StagedHomes.com to bring you this 2-day course which earns you the designation that gives you the best marketing edge over your competitors. Objectives include:

Effectively communicate the benefits of staging with your sellers, create a more powerful listing presentation, understand the criteria of ASP® Home Staging and learn staging concepts and ideas, better price your staged listings, create a more value added service, participate in an occupied or vacant home staging exercise.

You will also receive 1 year complimentary membership in the International Association of Home Staging Professionals®. **To register**, visit www.stagedhomes.com. **NOTE:** This course does **NOT** offer Broker licensure credit.

Real Estate Negotiation Expert (RENE Certification - Broker Elective)

September 19 & 20, 2019	15 hours Real Estate CE/1 Broker Credit	8:30 AM—4:30 PM
Instructor: Melanie McLane		Cost: \$349.00 (lunch included)

Want to sharpen your negotiating skills? The RENE certification gives you the tips and tools you need to be a skillful advocate for yourself and your clients. Learning objectives include:

When and how to negotiate, crafting a strategy for any negotiation, recognizing patterns and tactics being utilized, adjusting your communication style to achieve optimum results with any party in the transaction, successfully applying the principles of persuasion to any negotiation situation, negotiating effectively, whether face-to-face, on the phone or through e-mail and other media.

Real Estate Law (Broker Required)

October 10, 15, 18, 25, 2019	30 hours Real Estate CE/2 Broker credits	9:00 AM—5:00 PM
Instructor: Brett M. Woodburn, Esquire		Cost: \$395.00 (lunch included)

Working on your Broker's license? Real Estate Law is one of two courses required to fulfill your Broker licensure educational requirements. Topics include:

Introduction to Law & Legal Systems, Real & Personal Property, Land, Water & Air Rights, Contract Law, The Real Estate Transaction, Leases, Law and the Real Estate Licensee, Law of Agency

Understand real estate law, how it affects your business, and how to remain compliant.

To register, please visit the Member Portal at www.rayac.com. For additional information or questions about Broker licensure requirements, please contact Mireya Carlsen at mireya@rayac.com.

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*Profile of Home Staging – NAR® - March 2019

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Sandy Earnhart, ASPM®,
IAHSP-PREMIER, CASPT®

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- ❖ The SMARTPASS is available to all RAYAC primary and secondary members. SMARTPASS holders will save \$35 on their mandatory 14 hours of CE, and can take additional 3.5 hour and 7 hour CE classes during this renewal cycle at no extra cost. The more classes you take, the more you save!

HOW CAN I GET THE SMARTPASS?

- ❖ The SMARTPASS can be purchased until February 29, 2020, through the RAYAC Member Portal under EVENTS, for \$125

HOW DO I REGISTER FOR COURSES AFTER PURCHASING THE SMARTPASS?

- ❖ You **MUST** pre-register by contacting Mireya Carlsen at mireya@rayac.com at least 24 hours prior to the course date. Please note: Late registrations and walk-ins may not be accepted

TERMS & EXCLUSIONS

- ❖ The SMARTPASS can only be used for 3.5 hour and 7 hour continuing education courses held during the current renewal cycle (between September 1, 2019 and May 31, 2020)
- ❖ The SMARTPASS cannot be used for broker courses, designation or certification courses, online courses, or StraightTALK sessions
- ❖ The SMARTPASS cannot be applied to classes that have already been completed
- ❖ The SMARTPASS is non-refundable and non-transferrable

Available for a limited time – get yours today and start saving NOW!

KNOW MORE. DO MORE.

Just What Kind of Agent Are You, Anyway?

By: Peter Ruth

Several calls on the hotline these past few months have been in regard to one particular question: what kind of agency relationship exists between an agent and his or her client? As peculiar (if not elementary) as that question sounds when read aloud, there are several Agreements of Sale that come across our desks that incorrectly identify the agency relationship between the agent and the buyer and/or seller.

The key to properly identifying the agency relationship comes down to not only understanding the different types of agency relationships, but also the reasons those relationships exist.

“Buyer Agent” and **“Seller Agent”** - Assume an agent from Brokerage A represents a seller, and an agent from Brokerage B represents a potential buyer who just made an offer on the seller’s property. In this instance, the agent from Brokerage A is a **“Seller Agent,”** not a “Dual Agent” or “Seller Agent with Designated Agency.” Likewise, the agent from Brokerage B is a **“Buyer Agent,”** not a “Dual Agent” or a “Buyer Agent with Designated Agency.”

The reason for this is simple: the only way an agent becomes a Dual Agent is when either 1) the same agent is representing both the buyer and the seller, or 2) the agent representing the seller is in the same brokerage as the agent representing the buyer.

“Dual Agent” - Assume the example above, but instead the agent representing the seller is the same person as the agent representing the buyer. In this case, quite obviously, the agent is a **“Dual Agent.”** However, assume the same example above, but instead the agent representing the seller is in the same brokerage as the agent representing the buyer. In this case, both agents are **“Dual Agents”** unless they have been **designated** to act exclusively for their respective buyer or seller.

It’s important to remember that all agents owe fiduciary duties to his or her respective clients, such as exercising reasonable professional skill and care, and to deal honestly and in good faith. In the first example of Dual Agency, one can easily imagine how difficult it could become for an agent representing both a buyer and seller in a transaction to advocate to the best of that agent’s abilities for either of his or her clients’ respective interests, especially when those interests are competing.

In the second example, even though the same agent is not representing both the buyer and seller, the law provides that each agent, as well as the broker and all other agents within that brokerage, are considered a “Dual Agent.” Although the conflict with separate agents is inherently different than the conflict that arises with the same agent representing both parties, more often than not consumers expect their agent to be THEIR agent, not another person’s agent. The solution? Designated Agency.

“Buyer Agent with Designated Agency” and **“Seller Agent with Designated Agency”** – Designated agency can only occur when both the agent representing the seller and the agent representing the buyer are from the same brokerage. In such event, the broker can designate each agent to act on his or her respective clients’ behalves to the exclusion of any other agent, including agents within the same brokerage who would otherwise be considered “Dual Agents.” In this case, the broker will be a Dual Agent, while one agent is designated for the seller, and one is designated for the buyer.

The broker, a step removed from the day-to-day handling of the buyer or seller, must likewise undertake adequate efforts to ensure that each of the agents in the brokerage are able to independently advocate on behalf of the buyer and seller, and therefore preserve all required ethical and fiduciary duties owed. This includes implementing measures to limit access to confidential communications between the buyer, seller, and their respective designated agents.

Given the additional level of responsibility imposed on a brokerage when agents become designated agents, it is imperative to properly identify the agency relationship when completing the Agreement of Sale. While not practical in all situations, designated agency - when used properly - especially in larger brokerages with several agents, can provide buyers and sellers comfort in knowing just what kind of agent you are.



Legislative Link



PAR supports NAR's efforts to protect access to association health plans

The Pennsylvania Association of Realtors® joined more than 200 state and local Realtor® associations from across the country in support of the National Association of Realtors®' effort to protect access to [association health plans](#).

Last month, a federal court held that provisions of the Department of Labor's Association Health Plan rule as unlawful, including specific provisions regarding eligibility for independent contractors. The Department of Justice is appealing this ruling and [NAR recently filed an amicus brief](#) in support of the DOJ's appeal as it continues to work to increase and improve health care options for America's independent contractors.

"We're encouraged to see so many associations from across the country demonstrate their public support of association health plans," said NAR President John Smaby, a second-generation Realtor® and broker at Edina Realty in Edina, Minnesota. "The DOL's rule opens the door for Realtors® to access affordable, high-quality health care options that can be so difficult for independent contractors to find. Moving forward, we're hopeful that our work alongside these local partners will help secure the health care solutions that our members and their families deserve."

In June last year, the DOL ruled to expand access to health coverage through association health plans by broadening the definition of "employer" to include "working owners." However, in July last year, 12 attorneys general, including Pennsylvania, filed suit against DOL challenging the final rule. The states argued that the DOL exceeded its authority issuing the rule. At that time, NAR joined an amicus brief in support of DOL's rule through a coalition.

The court held in favor of the attorneys general in March 2019, eliminating essential parts of the rule that would have allowed self-employed individuals to participate in an AHP. The DOJ filed an appeal in the case.

PAR President Bill McFalls Jr. said, "PAR understands how important finding affordable health care insurance options is to our members. We're continuing to support efforts to change the court's decision and we're working with other entities to find additional options for our members."

To date, over 3,000 Realtors® and their families have found cost-effective health insurance solutions through the AHPs currently operated by a few local Realtor® associations across the country. Other associations, including PAR, are exploring AHP options, but have been delayed due to uncertainty surrounding federal litigation.

PAR and NAR have found that large insurance companies are apprehensive to offer a AHP to any trade association due to the uncertainty surrounding the legal challenge. This latest ruling and subsequent appeals will further delay any commitment by insurance providers to collaborate on a national plan.



From the Executive Officer

RAYAC Membership Mobile Directory

by Shanna Terroso, RCE, e-PRO

Part of RAYAC's mission is to provide our members with the technology tools you need to succeed. One of the recent updates to RAYAC's Member Portal allows all of our members to have a mobile directory of the RAYAC members (REALTORS and Affiliate Members alike) at their fingertips. Want to learn more?

[Check out this short video and start using this membership directory right away!](#)

Do you have suggestions or ideas that you would like to see as a member benefit? If so, please know that my ears and door are always open. I welcome all ideas, so never hesitate to reach out to me with your feedback!



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Practicing Professionalism

Case #1-5: Promotions of Client's Interests

Client A gave an exclusive listing on a house to REALTOR® B, stating that he thought \$132,500 would be a fair price for the property. REALTOR® B agreed and the house was listed at that price in a 90-day listing contract. REALTOR® B advertised the house without response, showing it to a few prospective buyers who lost interest when they learned the price. In a sales meeting in his office, REALTOR® B discussed the property, advised his associates that it appeared to be overpriced, and that advertising and showing of the property had proved to be a waste of time and money.

After six weeks had gone by without a word from REALTOR® B, Client A called REALTOR® B's office without identifying himself, described the property, and asked if the firm was still offering it for sale. The response he received from one of REALTOR® B's nonmember associates was: "We still have the house listed, but there is little interest in it because, in our opinion, it is overpriced and not as attractive a value as other property we can show you."

Client A wrote to the Board of REALTOR® complaining of REALTOR® B's action, charging failure to promote and protect the client's interest by REALTOR® B's failure to advise the client of his judgment that the price agreed upon in the listing contract was excessive, and by REALTOR® B's failure to actively seek a buyer.

In a hearing on the complaint before a Hearing Panel of the Board's Professional Standards Committee, REALTOR® B's response was that Client A had emphatically insisted that he wanted \$132,500 for the property; that by advertising and showing the property he had made a diligent effort to attract a buyer at that price; that in receiving almost no response to this effort he was obliged to conclude that the house would not sell at the listed price; that in view of the client's attitude at the time of listing, he felt it would be useless to attempt to get Client A's agreement to lower the listed price; and that he had instructed his staff not to actively market the property at that price.

The Hearing Panel concluded that REALTOR® B was in violation of Article 1; that he had been unfaithful in his obligations in not advising his client of his conclusion that the property was overpriced, based on the response to his initial sales efforts; and in withholding his best efforts to bring about a sale of the property in the interests of his client.

We Want to Hear Your Funny Stories!

We know that the real estate business can produce interesting and hilarious stories! We would like to hear funny stories from your career. Please send your stories to Jaclyn@rayac.com and we will feature your story in an upcoming newsletter!



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REALTOR® EMERITUS

Have you been a member of RAYAC for 40 consecutive years? If so, you can apply for REALTOR® Emeritus status!

Send an email to Shanna Terroso (shanna@rayac.com) by Monday, September 30, 2019 if you qualify for Emeritus status.



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