

# Realtors® Report

March, 2007

## LEGAL UPDATES SCHEDULED MARCH 21 with WRA Attorney Kevin King

Questions on acceptable and ethical advertising? Confused on the different addenda you receive from other companies or banks? Still not real sure on some of the new disclosure forms? How about working on foreclosures? Do you know about the recent changes in the Code of Ethics? Have you heard rumors about a state-wide MLS and wonder how it may impact you? Got any issues you'd like to have covered by an expert in real estate law? Then you won't want to miss this seminar! Kevin King, WRA chief counsel, will join us for two legal updates to cover these issues as time permits.

Attendance at this seminar may very well help you avoid a costly lawsuit - mark it on your calendar and register today. Because the seminar may help brokers limit their liability, some brokers are making attendance mandatory!

### REGISTER ME FOR THE LEGAL UPDATE WITH KEVIN KING ON MARCH 21.

Name \_\_\_\_\_

Company name \_\_\_\_\_ Phone number \_\_\_\_\_

\_\_\_\_\_ I will attend the update from 9 to 11:00 at The Plaza Hotel in Eau Claire  
sponsored by *RCU* and *Vinopal Title & Abstract*

\_\_\_\_\_ I will attend the update from 1 to 3 at Turtleback Conference Center in Rice Lake  
sponsored by *A+ Home Inspections, Hometown Title Co. & Peoples Bank of Wisconsin*

Complete this form and mail it with your check payable to RANWW for \$15 to 1903 Keith Street,  
Eau Claire, WI 54701 by March 14. Sorry, no refunds.



Kevin King,  
WRA Chief Counsel



### YOU ASKED FOR LOCAL DESIGNATION CLASSES - WE DELIVER!!

Buyer agency is increasingly popular in Wisconsin as more home buyers request representation in what may be the most important transaction of their lives. Realtors® who have the Accredited Buyer Representative (ABR) designation are a hot commodity in today's marketplace. The WRA's two-day buyer agency course provides you with specialized knowledge and different solutions to effectively service this niche market. Designate yourself as an ABR - join the over 50,000 REBAC members who are succeeding as Accredited Buyer Representatives. Get accredited as an ABR and move ahead! Attend the ABR class at the Plaza Hotel in Eau Claire on March 7-8. To register or for more information, contact the WRA at 800-279-1972.

**REALTORS® ASSOCIATION OF NORTHWESTERN WISCONSIN**  
1903 Keith Street, Eau Claire, WI 54701 ♦(715) 835-0923 ♦(888) 221-0112  
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*The Voice for Real Estate in Northwestern Wisconsin*

## . . . MEMBERSHIP NEWS . . .

The following people have made application for Realtor® membership; in accordance with the bylaws, written comment, which shall be kept confidential, is invited.

<b>Gabriel England</b>	C21 Hilgart Realty	<b>Andrea Raymond</b>	First Realty Bldr Services
<b>Mark Fischer</b>	C21 Hilgart Realty	<b>John Rhode</b>	Area North Realty
<b>Cari Jeske</b>	C21 Hilgart Realty	<b>Melissa Roach</b>	Maco Realty
<b>Sandra Mathieu</b>	Edina/Hayward	<b>Walter White</b>	Janke Premiere Properties
<b>Raymond Myers III</b>	Myers Rentals		

*“Very motivating & insightful. . . Brought up many ideas and solutions in thinking outside the box. . . Wished we had more time - great instructor. . . Loved the humor and obvious depth of knowledge - kept the class moving. . . Great course, learned a lot. Closings can be confusing, but his class has answered a lot of questions.”* These were all comments from students at the January JumpStart program. A big Thank You to the following members who helped us offer this three day program for our new members: **Jim Theisen, Margo Katterhagen, Jane Gobler, Michael Lea, Jim Norby and Mike Ritsch.** . . Hats off to Mary Jo Bowe on earning her ABR designation! . . . Interested in serving your association? Margo Katterhagen will be meeting soon with the Nominating Committee to prepare a slate of candidates for officer and director positions. If you’d like to be considered or nominate someone for consideration, contact Margo at 234-5010. Our state association also has an opening for our district on the board of directors. More information is available from Sandy at 800-279-1972. . . Sorry to **Butch Flor** who was not identified last month in the photo of the life-time RPAC givers. Not only is Butch a life-time RPAC giver, he’s also a past RPAC chairman and knows how important RPAC is!

## ETHICALLY SPEAKING . . . .

**REALTORS® shall not engage in any practice or take any action inconsistent with exclusive representation or exclusive brokerage relationship agreements that other REALTORS® have with clients.** Art. 16, Code of Ethics

Realtor® X’s marketing campaign on a recently listed home included “open houses” on several consecutive weekends. One Sunday afternoon Buyer B came to the open house. Realtor® X introduced herself to Buyer B and asked whether Buyer B was working with another broker. Buyer B responded that he was, in fact, exclusively represented but went on to add that he was familiar with the property as it had been owned by a friend. Realtor® X told Buyer B she would be happy to show Buyer B through the home and answer questions, but added that she represented the seller and not Buyer B. After viewing the home, Buyer B indicated he was seriously interested in the property and intended to discuss a possible offer with his buyer representative. Realtor® X responded that there were several other buyers interested in the property and it would likely sell quickly. “I can’t tell you what to do, but if it were me, I would make an offer today.” Realtor® X told Buyer B, “You can go back and discuss this with your broker if you like or I can help you write a contract. It’s your choice.” With Realtor® X’s words in mind, Buyer B decided to make an offer. Realtor® X assisted Buyer B in filling out a contract which the seller accepted.

Realtor® X was subsequently charged with violating Article 16 for dealing and negotiating with a party who had an exclusive relationship with another Realtor®.

At the hearing, Realtor® X defended her actions noting that she had told Buyer B that she was the seller’s exclusive agent and, as such, would not and could not represent Buyer B’s interests. She pointed out that Buyer B had asked for her help in writing a purchase offer and had not sought the counsel and assistance of his exclusive representative. She concluded her defense noting that Standard of Practice 16-13 authorizes dealings with the client of another broker when those dealings are initiated by the client.

The Panel disagreed with Realtor® X’s reasoning. They concluded that Realtor® X’s inducement of Buyer B by emphasizing that the property might sell quickly (which might well have been true), coupled with her offer to prepare a purchase contract on Buyer B’s behalf, constituted an initiation of dealings on the property by Realtor® X, not by Buyer B. As a result, Realtor® X was found in violation of Article 16.

Women's Council of  
**REALTORS®**

**LEARN HOW TO PROTECT YOUR IDENTITY** - plan to attend the March 14 meeting to hear Mario Racanelli, a local insurance agent and the single largest victim in history of identity theft. His harrowing story, which has been televised and involved many law enforcement agents, will be featured in a 12 minute video showing

the imposter in action in Florida! Because of all the information that will be shared, **the meeting will be from 11:45 to 1** at 2525 W. Princeton Avenue, Eau Claire. Please RSVP to Chris Wolff at [chris.wolff@wellsfargo.com](mailto:chris.wolff@wellsfargo.com). Questions? Call President Karen Nusbaum at 838-2106.

## SPOTLIGHT ON. . . .Butch Flor by *Mary Hafenstein*



This month I traveled to Chetek via e-mail for a visit with NAR director Butch Flor. Thanks, Butch!

**Mary:** Could you give us a little background on yourself and how long you have been in the business?

**Butch:** I was born and raised in Wisconsin and have lived in Chetek almost all my 67 years. I've owned and operated several area businesses since 1963. This month marks my 30 year real estate anniversary. Before I bought Six Lakes Realty, I dabbled in real estate. We bought, fixed up and sold lake cabins as a family project while our children were growing up. I love this area and enjoy promoting it. As Broker/Owner of Six Lakes Realty, I have that opportunity on a daily basis.

**Mary:** You are a past president of the Northern Waters Board and have held several positions for the current board. Now that you hold a seat on the Board of Directors of the National Association of Realtors®, how do you juggle your time?

**Butch:** I'm fortunate that my son, John, handles the day-to-day operation of the company as the managing broker. This allows me the time to attend committee meetings on the local, state and national level.

**Mary:** Can you give us a little background on what it entails, meeting-wise, to sit on the national organization: how often you meet, where are the meetings, is a lot of the business done via e-mail or conference calls?

**Butch:** National directors meet twice a year - in the spring at the mid-year convention in Washington, DC and at the NAR convention in the fall, which was held in New Orleans in 2006. There are numerous e-mails and conference calls between.

**Mary:** You've witnessed the drastic growth and change in our own board over the last few years. How do you see the industry changing nationwide?

**Butch:** More and more of the smaller, non-franchised firms are specializing, finding their own niche in their market. On the other hand, there is, and will continue to be, more consolidation of medium and large-size firms.

**Mary:** Technology is a big factor in our business. I know you were one of the last to give up the MLS book (kicking and screaming all the way!) and move to the computer world; where do you see our future headed with so much new technology?

**Butch:** In the near future, I feel active agents will need a portable office to be with them all the time. They'll need to be able to e-mail, phone, fax, photograph, scan, transmit, etc, from anywhere at anytime.

**Mary:** Being such an active member of the association, locally as well as nationally, is there one thought you'd care to pass on to our members?

**Butch:** In many aspects of life, but surely in the real estate business, I feel you get something back from it in direct proportion to what you put into it. Be an active Realtor® - go to meetings - attend conventions - get designations - volunteer for committees, etc. You will not regret it! A convention has never cost me money. Why? Networking and referrals.



**Mary:** Would you share with us one story that stands out when you look back and reflect over your years in the business?

**Butch:** I was fresh in the business and had a nice listing on Potato Lake. It was a two bedroom A-frame home on 200 feet of frontage on nice open water. Six months and many showings later, no sale. The owner, a sweet old Catholic Polish lady from Chicago, suggested I bury a statute of St. Joseph upside down in the back yard facing the house. I figured "Why not?" and did just that. Lo, and behold, within a week I had a full-price offer and a closing ten days later. Now I don't believe in magic or hocus-pocus, but . . . . .



Looking for some reading material to help you boost your income this year? Take advantage of one of these new additions to the Association's library: [Phone Scripts](#), [Expert Lead Generation](#), [If I Could Start Over Again](#) and [Stellar Checklists](#). All four are by Walter Sanford.

# MARCH

				1	2	3
4	5	6 Top Producer Training, 9-12	7  ABR classes - Plaza, Eau Claire	8	9 MLS Comm. - 8 AM  Tech Comm - 1 PM	10
11 Move clocks forward!!	12	13	14 WCR noon  PR Comm. - noon	15 Orientation, WITC, Rice Lake	16 St. Urho's Day 	17 St. Patrick's Day 
18	19	20	21 Legal up- dates - Eau Claire & Rice Lake	22	23	24
← 72 hour pre-license course, Education Center →						
25	26	27	28 Mediation Training	29	30	31
← 72 hour pre-license course, Education Center →						

Mark your April calendar now - you won't want to miss these dates:  
11 - WCR meeting; 12 - membership meeting; 18 - R&G Day

Take advantage of an opportunity to meet in an informal gathering of your fellow members over lunch on the 21st at Turtleback Conference Center. You'll have time to eat at the buffet and participate in a round table discussion of issues of mutual concern. The meeting is planned so that you'll be able to eat and then stay for the legal update. If you have something you'd like discussed, contact Joan.

**Affiliates**, please remember your issues are important to us - be sure you mark the date so you can do some networking and add to the discussions! Complete the form and fax it to Joan by March 14. Remember: your reservation is your commitment to pay even if you can't attend.

*Register Me!*

Name \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax this form to 835-4621 by March 14

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