



AAR News

Mark Your Calendar!

2004
Top Producer Gala
Friday, January 28th

See Page 3 for details

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A Message from your President

First, I would like to wish you all a Happy and Prosperous New Year!

In 2004 the job of the Board of Directors, Committees, and Staff ranged from the everyday duties of running the Association/MLS to watching our Association and MLS grow to a membership of over 1150 in MLS and over 900 in the Association. Our REALTOR® membership stands at an all time high again this year.

The diligence of your leadership and staff have helped to maintain a sound financial position by being good stewards of your contributions by way of working hard to maximize every dollar you pay in dues.

AAR and the Upstate MLS have managed to streamline through the years and at the same time give quality service to our members at the lowest possible cost. Beginning January 2005, Association dues decreased to \$80.00 per licensee. That is \$.22 per day per year! Also, MLS fees will remain the same for the coming year. And, we do this by constantly striving to keep our member's best interest at the forefront of all decision making.

In 2004, we saw friends pass, we pulled together for good causes, and we saw people work hard for what they believed. As the year draws to a close we see the future as bright, fast paced, and exciting.

As the year '04 comes to a close. I want to thank each of you for the opportunity to serve. We have an incredible group of volunteers and leaders that are passionate about their association as I am. As we get ready for 2005, we will need and ask for the help and participation of all of you. Please do your part when called upon.

Again, thank you and have a safe, healthy, happy, and of course prosperous 2005!

Peggy

2005 Real Estate Forecast

A glimpse into the housing market future

The real estate industry is heading for big change in 2005. Experts once again are predicting slower home sales and easing price appreciation due to an anticipated rise in interest rates.

The end of the year is the perfect time to start preparing a line of attack to stay sharp and ahead of the pack going into next year.

In this special newsletter package, we went to the experts to see where we can expect interest rates to move next year, what economists are anticipating for job growth, the value of the dollar and the national trade deficit and how these things will impact the real estate industry.

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NAR WINS PROHIBITION ON BANKS IN REAL ESTATE FOR ANOTHER YEAR

Congress adjourned the 108th Session last week after passing the FY 2005 Omnibus Appropriations Bill. This catch-all spending bill contained another one-year prohibition against large banks entering the real estate brokerage, leasing, and property management business. The one-year prohibition effectively continues the ban on large banks that has been in operation for the past three years. House leaders removed a provision in the bill that would have permanently prohibited these banks from entering the real estate industry.

AAR News

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About AAR

The Association encourages and supports affirmative advertising and marketing programs in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status or national origin.



What You Should Know About the New Agency Law

By Dianna Brouthers

As you know by now, we are fortunate to have had revisions to our license law passed this year that will change the way we do business in several areas of professional practice. Please remember to thank Nick Kremydas, South Carolina Association of REALTORS® for all his hard work in spearheading these changes and clarifications. The changes are comprehensive and my recommendation is that you read the entire law several times so that you will be fully informed and in compliance. A link to the new law (“the black book”) and newly mandated forms can be found on LLR’s website, www.llr.state.sc.us/POL/RealEstateCommission.

A few key points of the new law are listed below:

Beginning January 1, 2005, a new agency disclosure brochure must be used that discusses the consumer’s options of customer or client service as well as single, dual, and designated agency. Licensees will discuss the options that are offered by their particular company and will give the brochure to the consumer. No signature is required and there is no record-keeping requirement for the form.

As in the past, all consumers are considered customers until they enter into a written representation agreement for client services. Customer services are listed in the brochure.

If a consumer wishes to become a client, acknowledgment of the receipt of the agency brochure will become part of the listing or buyer agency agreement.

The option of single licensee dual agency (one licensee who brought in the seller as client and the buyer as client) will continue to be available. A new Dual Agency Agreement that discusses the limitations of this arrangement will be used and will be signed by both seller client and buyer client.

An alternative option of Designated Agency (one licensee brought in the seller as client and another licensee in the same company brought in the buyer as client) has been added. A new Designated Agency Agreement will be used to confirm this arrangement and will be signed by both the seller client and the buyer client.

If the designated agency option is used, the BIC will remain a dual agent (since the BIC is the true agency, anyway) and the BIC will treat both clients fairly and equally as will all other associated licensees in the company.

Designated Agency causes some difficulty when the BIC competes with the associated agents. When the BIC is either the listing agent or the buyer agent, the BIC must remain a traditional dual agent in the transaction. Procedures for handling this conflict are spelled out within the law.

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The listing agreement and buyer agency agreement will contain mandatory language as to whether the seller client or buyer client will consider the option of dual or designated agency, much like the wording on the front of the old agency disclosure brochure.

The new law also states branch offices avoid dual agency if each branch has a separate BIC. Confidentiality is a key issue in both dual and designated agency and BIC's must take steps to protect client information within the office.

Outside agency, other points were clarified including:

Clarification of tasks an unlicensed individual cannot perform, including showing properties and holding open houses.

Clarification that property management agreements cannot be "tied in" to become a listing agreement if the tenant wishes to purchase the property.

Clarification that a licensee cannot be held responsible if they transmit information contained in property inspection or other reports.

Change to the handling of earnest money when submitted by personal or company checks to allow the licensee to give the check to the BIC only after both parties have accepted the offer.

Removed "imputed knowledge" from both the BIC and the associates. The new law did retain "or should have know if acting in a reasonable manner" under the duty to disclose material facts regarding the property.

Clarified that material defects in the property are never considered confidential and that compensation does not create an agency relationship.

The new license law will assist each of us in a variety of ways and offers options and clarifications that have been needed for a long time. Your REALTOR® Association will continue to remain at the forefront when change occurs through quality service and representation of its members at the highest level.

Most clients want the best. If you want to be top performer, work on developing your market knowledge, improving your negotiation skills, doing a better job of marketing, and keeping in contact with your referral database.

- Bernice Ross

2004

Top Producers Club Gala

Friday, January 28, 2005
6:30 p.m. until Midnight
Civic Center of Anderson

Plan to enjoy an evening of celebration at our most exciting event of the year with live entertainment by Still Cruzin' with fabulous floor shows and lots of dancing.

Heavy Hors d'oeuvres
by Carolina Catering

Cash bar available

Black tie optional

Tickets are available at the Association office and must be paid for at pick-up by January 24th.
\$35.00 per person

Governor Mark Sanford Vetoes Cap on Property Tax Reassessment

Gov. Mark Sanford today issued the following statements on his veto of H. 3065, a bill that would have imposed a twenty percent cap on property tax reassessments:

"I've got an obligation as governor to uphold the Constitution of our State," Gov. Sanford said. "That's ultimately what raising your right hand and putting your left hand on the Bible is all about. The Constitution says you've got to tax property based on fair market value, but this bill doesn't do that. The Constitution says you've got to pass a bill like this with a two-thirds vote, but this bill didn't get that either, it got a voice vote. Ultimately, the courts are going to end up making the final determination on this issue but it's my duty to state my opinion on any bill that comes to my desk given the oath of office I took."

"I'm more than open to considering any property tax relief proposal that passes Constitutional muster," Gov. Sanford said. "In fact, I've been pushing tax relief for South Carolina's individual income earners and small businesses for the better part of the past three years. I believe tax relief is urgently needed in our state, but it's got to be Constitutional and it's got to be sound public policy - and in this instance it would result in a significant shift in education funding that I don't believe has been fully considered."



**S.C.A.R. 2005 Midwinter Conference
January 18-20, 2005**

Adam's Mark Hotel, Columbia, SC

XTREME REALTOR® TRAINING

Build leadership skills

Strengthen the REALTOR® legislative voice

Reach new heights

Go to: www.screaltors.com and click on the button for Midwinter Conference. There you will find information about daily events, hotel packages, and Registration information. After December 31st the cost is \$90.00.

Or, call 1-800-233-6381 for more information.

Hotel Accommodations: Make your reservations at the Adam's Mark Hotel by calling (803) 771-7000 before Dec. 31, 2004 to get the special room rate of \$114.00

Highlights include:

- First Time Attendees: Quick overview of the entire Conference
- Legislative General Session with Michael Dunn
- Leadership Session with Association expert Bob Harris
- Town Hall Meeting: Bring your comments, questions, and suggestions for SCAR
- Professional Development Course: "How to Run for Local Office"
- Dessert Reception with live entertainment
- Dine Around: choose with whom and where you want to eat. Reservations have been made all around Columbia, but remember it is Dutch treat!
- Awards Luncheon: Come applaud your fellow REALTORS®
- Lunch on the State House Lawn RPAC Auction sponsored by the SC Chapter of REALTOR® Land Institute

In 2004, SCAR REALTORS were successful in passing a law allowing SCAR to design a Homeownership Specialty License Plate. SCAR will also direct how the proceeds will be used to support Housing Opportunity in SC. Proposed design:



Applications for the Homeownership License Plate will be available at the SC Capitol Conference (January 18, 19, and 20).

Once the design is approved by the REALTORS® at the Conference, DMV will begin production.

For 2 years, the tag will cost \$24. An additional donation of \$100 per tag will go to whichever homeownership promoting individual or organization that SCAR chooses.

The tag is designed generically to be used by all sorts of homeownership supporters (REALTORS®, Homebuilders, Real Estate Licensees, Appraisers, Surveyors, Real Estate Attorneys, Home Loan Lenders, Housing Authority Staffers, Habitat for Humanity Staff and Volunteers, Contractors, Carpenters, Roofers, Developers, Land Owners, Property Owners, etc...).

The tag has a stylized home and SC map as well as green shading representing the earth and blue shading representing the sky. The blue is close to the royal blue of the REALTOR® symbol's background.

Promote this tag to everyone you know. If 10,000 tags are sold; SCAR will be directing a fund of ONE MILLION DOLLARS! With 13,000 REALTORS® in SC and 25,000 Licensees plus other interested individuals; that number is achievable.

To learn more about specialty license plates and get an application; click on "vehicle information" on the SC DMV website: <http://www.scdmvonline.com/>. Please keep in mind that until SCAR submits the design, DMV will not be capable of processing your order. To begin production, 400 pre-paid orders are required.



2005 NAR President to Focus on Family Time

(November 5, 2004) — Building stronger families will be a primary focus for the incoming president of the NATIONAL ASSOCIATION OF REALTORS®, and NAR has created a new multimedia tool called FamilyTime designed to help REALTORS® and their customers find more time to spend with their families.

“The truth of the matter is that—regardless of how we define it—our families are the single most important aspect of our lives,” said Al Mansell, 2005 president-elect of NAR and CEO of Coldwell Banker Residential Brokerage (formerly Mansell & Associates) in Salt Lake City. Mansell addressed the attendees of the 2004 REALTORS® Conference & Expo in Orlando, Fla.

“The strength and health of our families are paramount to our individual happiness and to our success,” Mansell said. “As leading advocates for families and homes, REALTORS® have a keen interest in ensuring the families we serve are happy and successful.”

FamilyTime®, developed in partnership with Million Dollar Round Table, includes an interactive DVD that highlights the importance of spending time with the family and provides a wealth of guidance on how to make time to spend with them. The program is designed for families of all sizes and types. Any NAR profits from the sale of the FamilyTime® DVD, which costs \$5 and is available through REALTOR.org, will go to the REALTORS® Relief Foundation. To order the FamilyTime® DVD, call 1-800-917-7035; go to www.familytimeorders.com; or e-mail familytime@fdskcreative.com.

Mansell said the demands of today’s booming real estate marketplace are having an impact on REALTORS®’ family lives. According to a survey of members conducted by NAR earlier this year, work interrupts nearly 40 percent of REALTORS® frequently or very frequently when spending time with their families. Half of the REALTORS® in the survey said their family members would say that they either have no life outside work or are available to their families but are often distracted by work.

More than a third of all REALTORS® (35 percent) do not have enough time for their families and 21 percent are not able to make and fulfill commitments to spend time with their families.

In further outlining his agenda for 2005, Mansell told journalists at a media briefing that under his presidency, NAR will remain steadfast in its opposition to allowing federally chartered banks from entering real estate brokerage and property management. He said NAR will continue to seek a permanent ban to keep banks out of real estate.

“In our view, banks in real estate would forever change the way homes are bought and sold in America—and certainly not for the better,” Mansell said. “Any measure that allows banks into real estate brokerage and property management is bad for business, bad for consumers, and bad for our nation.

“We face many challenges in our business today,” Mansell continued. “Maybe the biggest is the importance of keeping the REALTOR® front and center in the real estate transaction. Consumers are best served when REALTORS® are the first point of contact. We want to help our members serve their clients throughout the transaction by helping brokers who offer multiple services—such as lending and title—and by protecting all REALTORS® from unfair competition from those who would usurp our position in the real estate transaction.”

Keeping real estate data on the Internet secure also will be a top priority for Mansell. “NAR will continue in the year ahead to lead the real estate industry in protecting all data relevant to our business while encouraging an efficient marketplace,” he said. “In fact, we already provide REALTORS® and MLSs with many tools to help test their data security and protect systems from disruption. More resources are being released and developed that will protect the integrity and security of information about properties for sale.”

Mansell said that in 2005, NAR will build on its long-standing commitment to America’s communities, especially by increasing housing opportunities, diversity, and minority homeownership. The year will include the third HOPE Awards (Home Ownership Participation for Everyone), which honors exceptional contributions to minority homeownership. NAR is one of seven organizations sponsoring the awards.

January/February

Calendar of Events

January 2005

18-19 S.C.A.R. Mid Winter Conference
28 Top Producer Gala

February 2005

16 New Member Orientation



www.UpstateHomeServices.com

The official Affiliate Website for the
Anderson Association of REALTORS®

Use this site as your quick access to your Affiliates or send your clients to find service providers they need.

If you have a favorite service provider, tell them about this site and have them call 224-7941 or 882-8611 to find out how they too can have their information readily available to other REALTORS® and consumers.

2005 Education Schedule

March 9	GRI: 402 "SC Law What Every Agent Should Know"
March 23	8 Hrs MCE, choose from 2 classes TBD w/Dianna Brouthers
March 24	Free Training 9-12 with Dianna Brouthers - "New Agent Business"
March 24	Free Training 2-4:30 with Dianna Brouthers "Risk Reduction for Brokers"
April 20	8 Hrs MCE, Choose from 2 classes TDB w/Dianna Brouthers
May 19	8 Hrs MCE, Choose from 2 classes TDB w/Dianna Brouthers
October 12	8 Hrs MCE, Choose from 2 classes TDB w/Dianna Brouthers
November 9	GRI: 411 "New Home Sales & Construction"
November 17	Free Training 9-12 w/Dianna Brouthers "Risk Management for Brokers"
November 17	Free Training 2-4:30 w/Dianna Brouthers "Business Planning"

**All committee meetings and training classes held at the Association/MLS Office unless otherwise denoted.*

How to Reach AAR/MLS:

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