



February 3, 2017

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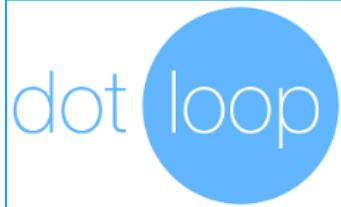
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A weekly publication of the Grand Rapids Association of REALTORS (GRAR)

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Pamela VanLuven | Editor



The Michigan Regional Information Center, LLC (MichRIC), in collaboration with its Member Associations (including GRAR), entered into an Agreement with dotloop to provide the Agent Premium Service (APS) product to any member at a discounted price (this does not include those who already have the APS product available through their company or franchise). **For members who currently subscribe to the APS product directly through dotloop, the cost is \$29.00 per month. The new price for existing subscribers and new subscribers, if you subscribe through GRAR for the APS product, will be \$7.50 per month!**

The West Michigan Regional Forms Group (WMRF Group) and GRAR, who maintain standard forms, have also entered into a License Agreement with dotloop to provide and maintain their standard forms libraries on dotloop. This means that any member from the MichRIC Member Associations who uses dotloop will have access to the forms libraries on dotloop which will be maintained by the WMRF Group and GRAR in the future. The libraries will be available to those who use the free version of dotloop and those who use the APS product.

How does an Agent obtain the Agent Premium Product?

New Subscribers: Please send an email message to eforms@grar.com and include the following information: Your name, your company, and that you are a **NEW SUBSCRIBER** requesting the dotloop Agent Premium Product. You will then receive a return email that includes your invitation code and the detailed instructions for registering for the dotloop APS Product and obtaining the discounted pricing.

Existing Subscribers through dotloop: If you are already subscribing to the dotloop Agent Premium product on your own, you can convert from your current pricing to the discounted pricing. Please send an email message to eforms@grar.com and include the following information: Your name, your company, and that you are an **EXISTING INDIVIDUAL SUBSCRIBER** requesting the dotloop Agent Premium Product. You will then receive a return email that includes your invitation code and the detailed instructions for registering for the dotloop APS Product and switching from your existing account to the new discounted pricing account.

PLEASE NOTE: If you are currently receiving the dotloop APS product through your broker or franchise at no charge, it is not necessary for you to subscribe through GRAR.

We hope you find this "optional" member service offering of the dotloop APS product and access to the MichRIC Member Association's standard forms libraries through dotloop beneficial to your business.



2017 CHANGES TO THE OCCUPATIONAL CODE

For the past couple of years, Michigan REALTORS®’ Public Policy Committee, with input from its Real Estate Licensing Task Force, has been working with the Department of Licensing and Regulatory Affairs (“LARA”) and the Michigan Legislature to overhaul Article 25 of the Occupational Code. This effort finally came to fruition at the end of 2016 with the passage of Public Act No. 502 of 2016. As redrafted, Article 25 is better organized, uses more consistent terminology and is hopefully easier to understand.

Many of the changes to Article 25 were cleanup items; part of the Office of Regulatory Reinvention’s charge to streamline the regulations for each occupational license. In addition, a number of provisions previously contained in the rules have now been incorporated into the Code itself. Many, if not most, of the changes to Article 25 do not change the substantive law but were aimed at eliminating inconsistencies and clarifying the existing provisions. In addition to a general cleanup, however, Public Act 502 contains several substantive changes aimed at addressing some of the problems that Realtors® and LARA have struggled with in recent years. This white paper will focus on those substantive changes.

First, the Code now provides that if a closing is conducted by a title company, an associate broker is no longer required to review and sign the closing statement. After the enactment of TRID, many REALTORS® reported that it was becoming increasingly difficult to comply with this requirement as many lenders and title companies were refusing to allow the listing REALTOR® to review the buyer’s closing statement. REALTORS® should keep in mind, however, that this rule change does not eliminate all responsibility over closings, nor does it eliminate the broker’s responsibility to supervise its salespersons. REALTORS® should continue to review those closing documents available to them to make certain that the transaction is being closed consistently with the terms of the purchase agreement.

Second, Public Act 502 raised the limit on the amount of broker’s own funds that may be maintained in the broker’s trust account. By raising this limit from \$500 to \$2,000, it is hoped that Realtors® can avoid bank fees on their trust accounts.

Third, Public Act 502 makes clear that if a branch office is located more than 25 miles from the nearest boundary of the municipality in which the main office of the real estate broker is located, the broker shall ensure that the branch office is under the direct supervision of an associate broker. Direct supervision requires an associate broker must be “physically present on a regular basis to supervise and manage the business during regular business hours.” This is not a new requirement and has always been the position of LARA. The new language was added to more clearly state that requirement.

Fourth, Article 25 now provides that any claim brought against a licensee under the Code or Rules must be brought within 18 months of the later of: (a) the date of the alleged violation; or (b) the date of closing. This limitation, similar to the one for claims against builders under Article 24, substantially shortens the statute of limitations for claims against real estate licensees brought under the Code.

Fifth, beginning on January 1, 2018, in any advertising, the individual licensee’s name or team name cannot be larger than the broker’s name. There had been many questions as to the appropriate interpretation of the prior rule, which required that the broker’s name be “indicated affirmatively.” This prior rule, similar to rules elsewhere that require the broker’s name be “meaningful and prominent” or that prohibit advertising that “suggests that a team is an independent entity,” provides little guidance as to the required prominence of the broker’s name. The Task Force and Public Policy Committee viewed the matter from various perspectives and concluded that Michigan licensees are better served if the advertising requirement is objective rather than left to the subjective judgment of the investigators. *Continued on next page...*

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As an aside, it is LARA's position that this rule only regulates relative type size (*i.e.*, points) and does not require similarity in type style, boldness or italics.

Sixth, the Occupational Code now includes a provision whereby licensees who are changing companies can continue to do business with only a pocket card so long as their transfer application has been filed with LARA and is pending. This grace period is limited to 45 days and the authority to do business is automatically revoked if LARA rejects the application or notifies the applicant that his or her application is incomplete. This provision codifies what had previously been LARA's unwritten policy.

Seventh, the Occupational Code now provides for a procedure whereby a licensee can authorize LARA to serve all notices and communications to the licensee via email rather than via U.S. mail. Realtors® can authorize email communications by updating their license profile at <http://www.michigan.gov/license>.

Eighth and finally, the Code now requires a licensee to report any name change or address change to LARA within 30 days after the change occurs. Again, this can be done by updating the licensee profile.

All of the changes discussed above are effective March 29, 2017 except for the changes to the advertising rule (which have a delayed effective date of January 1, 2018). Again, while the revamped Article 25 is not any shorter, hopefully the new definitions, reorganization and language clarifications will make it easier to understand. When reviewing the revised rules, keep in mind that most of the rules that have been "rescinded" actually have been incorporated into the Code itself.

Source: Michigan REALTORS®

[Please click here to access this information in a printable format.](#)

A COMPARISON OF DISCLOSURE REQUIREMENTS

| | SELLERS DISCLOSURE | AGENCY | LEAD-BASED PAINT |
|--------------------|--|--|---|
| Applies To: | Sales of not less than 1, or not more than 4, residential dwelling units (includes leases with options to purchase). | Sales or leases of not less than 1, or not more than 4, residential dwelling units or consisting of a residential building site on either a lot or condominium unit. | Sales or leases of all residential housing built prior to 1978. |
| Exemptions: | Court-ordered Transfers | None | Foreclosure sales (subsequent sale from lender NOT exempt) |
| | Foreclosure Sales/Deeds in Lieu and Subsequent Sale from Lender | | Rental housing where there has been a formal declaration that it is lead-based paint free. |
| | Transfers from non-occupant fiduciaries | | Short term leases of 100 days or less, when no renewal or extension can occur |
| | Transfers from one co-tenant to another co-tenant | | Lease renewals after initial compliance with lead-based paint disclosure requirements. |
| | Divorce proceeding transfers | | Zero bedroom dwellings (<i>i.e.</i> dorm rooms, studio apartments) |
| | Transfers to or from a governmental entity | | Housing exclusively for elderly or persons with disabilities (unless children are living there) |
| | Builder's Sale of newly constructed never-been-inhabited home. | | Click here for a printable version. |

FREQUENTLY ASKED QUESTIONS

Q: I am interested in using ShowingTime. How do I get started?

A: Below are links to download the QuickStart guides for the mobile app and ShowingTime for MLS:

[Download the ShowingTime Mobile App QuickStart](#)

[ShowingTime for the MLS QuickStart Guide](#)

[ShowingTime Mobile App Promo](#)

There are additional materials (videos and step-by-step tutorials) under ShowingTime's [MLS Help & Training](#) Tab.

Q: I would like to add a copyright notice to my MLS photos. Is that permitted?

A: Yes, provided the notice is limited to the copyright symbol © and the name of the owner of the copyrighted image. The copyright shall be placed in the corner of the photo and it should not exceed 8% of the total surface area of the photo. [Please click here to learn more.](#)

Q: My buyers are interested in a property on the MLS and I was surprised to see that the Agent Remarks field has a statement making mandatory the submission of a credit card as a prerequisite to presenting an offer. Is that acceptable?

A: No. We would encourage you to report that listing using the Report Violations tool in the upper right hand corner of the Flex Page Report (or by sending a message to errors@grar.com). Your name will be held in confidence. This type of condition will cause the listing to be withdrawn from the MLS since it is not compliant with MLS policy. Additionally, the Code of Ethics and license law in Michigan require that all offers be submitted/presented to the seller. We realize that it may be the intent to use this credit card number when the transaction is actually consummated, but the fact that it is required as a mandatory prerequisite to presentation of the offer (regardless of whether or not the card is charged at that time) is the issue that causes concern.

Q: I am curious as to the ratio of large to small size brokerages within GRAR. Do you have related stats?

A: Yes. The 9 largest companies represent app. 50% of the total membership. There are more than 215 firms that have a single licensee. Those companies represent 8% of the total membership. As of February 1, 2017, GRAR had 566 broker members, 2,099 salespersons, 104 appraisers, 44 life members, and 181 affiliate members for a total of 2,994 members.

We're not your average title agency.

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GOVERNMENT AFFAIRS VIDEOCAST



Please take a moment to join Brian Westrin and Brad Ward from Michigan REALTORS® for their [latest legislative update](#). Topics include:

- Fresh new year, fresh new set of priorities.
- Preservation of short-term vacation rentals, especially in lakeshore communities.
- Exemption U under Transfer Tax as it relates to unimproved land or spec homes.

Although not mentioned in the videocast, we recently received news from NAR that the Supreme Court has agreed to take up the dispute over which lower courts have jurisdiction to hear challenges to the Obama Administration's Clean Water Rule. [Please click here to learn more.](#)

PROFESSIONAL COURTESIES

If you have visited the GRAR Facebook Page lately or chatted around the water cooler at the office, you may have heard fellow REALTORS® pleading for heightened awareness of professional courtesies. This is a sampling of what we have heard at GRAR in recent days:

- Lights -- When it comes to lights, please leave a home as you found it. If a seller leaves the lights on, do not turn them off after a showing. The same in reverse. If you arrived for a showing and the lights are off, please turn them off when you leave.
- National Do Not Call Registry - If you are calling on expired listings, please make sure that you are not dialing a number that is registered with the Do Not Call Registry. If you are using a dialer system, please make sure that your provider scrubs the list of any number that is registered with the Do Not Call Registry.
- Shoes - Please show respect for properties during showings. Do not walk through in muddy shoes.
- Cancelled Showings - If your buyers decide upon pulling into the driveway that they don't want to tour a home, let the listing agent or the seller know (rather than leaving them to wonder if the showing occurred).

Please join your fellow REALTORS® in signing the new [Pathways to Professionalism Pledge](#) as evidence of your commitment to excellence. Challenge your associates to sign and adhere to the Pledge as well!

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\$8 MILLION “ZOMBIE MANSION” IS NO MORE

An abandoned, multi-million dollar home that became a viral sensation last year - racking up more than a million views when a videographer posted [footage](#) of its spooky interior - [mysteriously burned to the ground yesterday](#). The 22,000 square foot residence is a complete loss. The home has quite a history,

as its former owner served prison time for running an \$11 million loan scheme.



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GRAR CLASSES & EVENTS

February:

- February 3 - 2:00 p.m. - [YPN Social Event & Bowling Fundraiser](#) - Contact: [Brittany Sheets](#)
- February 6 - 1:30 p.m. - Government Affairs Committee - Contact: [Julie Rietberg or Sue Jenkins](#)
- February 7 - 2:00 to 5:00 p.m. - [Wine & Cheese Open House & Crisis Fund Silent Auction](#) (By Invitation Only)
- February 8 - 9:00 a.m. - GRAR Board of Directors - Contact: [Julie Rietberg or Sue Jenkins](#)
- February 9 - 9:00 a.m. - Tech/Mobile Task Force - Contact: [Julie Rietberg or Sue Jenkins](#)
- February 9 - 2:00 p.m. - West Michigan Regional Forms Committee - Contact: [Pam VanLuven](#)
- February 13 - 10:00 a.m. - Educational Programming Task Force - Contact: [Brittany Sheets](#)
- February 14 - 1:30 p.m. - REBarCamp Task Force - Contact: [Brittany Sheets](#)
- February 15-16 - [Michigan REALTORS® Achieve Conference](#) - Detroit, MI
- February 16 - 2:00 p.m. - [Flex MLS Training Session](#) - Contact: [Kristy Lubbers](#)
- February 20 - 9:00 a.m. - International Committee - Contact: [Julie Rietberg or Sue Jenkins](#)
- February 20 - 1:30 p.m. - Crisis Response Fund Task Force - Contact: [Pam VanLuven](#)
- February 21 - 1:30 p.m. - YPN Advisory Council - Contact: [Brittany Sheets](#)
- February 22 - 9:00 a.m. - [GRARLA Business Planning/Goal Setting/Networking](#) - Contact: [Pam VanLuven](#)
- February 22 - 1:00 p.m. - Grievance Review Panel - Contact: [Pam VanLuven](#)
- February 23 - 8:15 a.m. - New Member Orientation - Contact: [Cheryl Krause](#)

Other Important Events (2017):

- March 1 - 11:00 a.m. - [Building a Partnership Between REALTORS® & Homebuilders \(Lunch & Learn\)](#) - Contact: [Brittany Sheets](#)
- March 2 - 10:00 a.m. - Marketing & Branding Focus Group - Contact: [Julie Rietberg or Sue Jenkins](#)
- March 6 - [HP 10BII Calculator Course](#) - Contact: [Brittany Sheets](#)
- March 7, 8, 13-15 - [GRI III](#) - Contact: [Brittany Sheets](#)
- March 8 - 9:00 a.m. GRAR Board of Directors Meeting (GRARLA to Attend) - Contact: [Sue Jenkins](#)
- March 9 - 9:00 a.m. - Candidate Review & Development Committee - Contact: [Pam VanLuven](#)
- March 15 - 8:15 a.m. - New Member Orientation - Contact: [Cheryl Krause](#)
- March 22 - 8:00 a.m. - [2017 Michigan Real Estate Continuing Education w/Jack Miedema](#) - Contact: [Brittany Sheets](#)
- March 29 - [GRARLA Bus Trip to Lansing](#) - Contact: [Pam VanLuven](#)
- April 13 - 8:15 a.m. - New Member Orientation - Contact: [Cheryl Krause](#)
- April 20 - [Michigan REALTORS® Broker Summit](#) - Troy, MI
- April 27 - GRARLA to Attend Fair Housing Center of West Michigan's Fair Housing Luncheon/Workshop
- April 29 & 30 - Regional Open House Weekend - Save the Dates!
- September 20 - [2017 Michigan Real Estate Continuing Education w/Jack Miedema](#) - Contact: [Brittany Sheets](#)
- September 27-29 - [Michigan REALTORS® Convention & Expo](#) - Grand Rapids, MI
- October 12 - Annual Meeting of Brokers & Certified Appraisers - Contact: [Julie Rietberg or Sue Jenkins](#)
- October 26-27 - GRAR Board of Directors Annual Planning Retreat - Contact: [Julie Rietberg or Sue Jenkins](#)
- November 3-6 - [NAR Conference & Expo in Chicago, IL](#)
- December 15 - GRAR Annual Installation & Awards Breakfast - Contact: [Julie Rietberg or Sue Jenkins](#)



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BICE The members of the BICE (Barry, Ionia, Clinton, Eaton) Chapter of GRAR invite you to visit the beautiful village of Lake Odessa in Ionia County. This lakefront community was the focus of a feature in the most recent [BICE newsletter](#). Jordan Lake with its public beach, the excellent Lakewood Public Schools district, and small-town charm (2,018 residents) make Lake Odessa the perfect place to call home!

The events listed below are not hosted by GRAR, but are shared for your information. If you are looking for continuing education credits, we would encourage you to make certain that the course you select is approved by the [CE Marketplace](#) (<https://www.cemarketplace.net/>):

- February 4, 11, 18, 25 - Saturdays - [Real Estate Pre-Licensing with Real Estate One Academy](#)
- February 9 - [WCR Breakfast Program: West Michigan Real Estate Outlook & Trends for 2017](#)
- February 13-17 - [Real Estate Pre-Licensing with Real Estate One Academy](#)
- February 16 - [REALTOR® Apprentice Series w/LMCU](#)
- February 20-24 – [Real Estate Pre-Licensing Training with MiLicense.net](#)
- February 23 - [WCR "Meet Your Match"](#)
- February 23 - [Credit Score & Mortgage Updates Lunch-n-Learn](#)
- February 23-25, 2017 - [RPOA Presents: Michigan's Largest FREE Real Estate Investor/Landlord Conference/Expo](#)
- March 6-9 & 13-16 - [Real Estate Pre-Licensing Training with MiLicense.net](#)
- March 9 - [WCR Breakfast Program](#)
- March 13-17 - [Real Estate Pre-Licensing with Real Estate One Academy](#)
- March 20-24 - [Real Estate Pre-Licensing with MiLicense.net](#)
- March 25 - [Review for the Exam - Real Estate Pre-Licensing with Real Estate One Academy](#)
- April 3-7 - [Real Estate Pre-Licensing with Real Estate One Academy](#)
- April 13 - [WCR New Member Orientation & Mixer](#)
- April 20 - [Dotloop Training](#)
- April 22, 29 & May 6, 13 - [Real Estate Pre-Licensing with Real Estate One Academy \(Saturday Classes\)](#)

[View more online](#). If you would like to post an event above, please forward the event name, date, time, and registration link to [Pam VanLoven](#).