



FACTS FLASH

BROKERS: PLEASE POST

WWW.SAMCAR.ORG

MAY 5, 2006

ADVISORY RE: US 101/ PENINSULA AVENUE/ POPLAR AVENUE INTERCHANGE SAFETY IMPROVEMENTS

This week, the SAMCAR Board of Directors approved an advisory form that members may use to inform clients purchasing property in the cities of San Mateo and Burlingame. The Board advises that this form be used for all transactions for properties in San Mateo and Burlingame.

The advisory directs clients to contact the Public Works departments of San Mateo and Burlingame, to obtain information regarding how a specific property may be impacted if CalTrans exercises its right-of-way to make these interchange safety improvements. The SAMCAR Board wanted to assist members in shielding themselves from liability, should a property become subject to eminent domain proceedings or some other impact from this proposed project.

The advisory will soon be made available on the SAMCAR website, so that members can download and begin using it immediately. Should you have any further questions please feel free to contact George Mozingo or Michon Coleman, your Government Affairs staff.

George Mozingo
Government Affairs Director



2006 SAMCAR BROKER/MANAGER MEETING WELL-ATTENDED



A total of 180 people attended the first SAMCAR Broker/Manager Meeting for 2006, held Wednesday, May 3, at the San Mateo Marriott. Guest speakers Bay Area home inspector Steve Rush and attorney Michelle Leu Zaconne, were introduced by 2006 SAMCAR Board President John Giesecker.

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SAMCAR PRESENTS AWARDS TO WINNERS OF HOMEWORDS™ ESSAY CONTEST

Three students from Vallemar School in Pacifica took the top three spots in the middle school division of the HomeWords™ essay contest. The contest is part of the 2006 HomeWords™ program sponsored by the San Mateo County Association of REALTORS® (SAMCAR) in partnership with the California Association of REALTORS® (C.A.R.) and the *San Francisco Chronicle*.

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(Broker/Manager—Continued from page 1)

HE (RUSH) ENCOURAGES SELLERS TO HAVE THEIR HOMES INSPECTED BEFORE LISTING THEM BECAUSE IT WOULD MAXIMIZE OFFERS, MINIMIZE CONTINGENCIES AND SHORTEN THE CONTINGENCY REMOVAL PERIOD. THIS WAY, SAID RUSH, “THERE ARE NO DEAL-KILLING SURPRISES.”

Bay Area home inspector Steve Rush informs brokers of the responsibilities of a home inspector during the Broker/Manager meeting this week. At far left is attorney Michelle Leu Zaccone, another guest speaker at the event, and 2006 SAMCAR Board President John Gieseke.

Rush, who is president and founder of On-Site Inspections, LLC, which serves the San Francisco Bay Area, has over 17 years experience in home inspections and has performed more than 10,000 inspections. He spoke on the importance of on-site inspections.

Rush disclosed the following facts: 96 percent of all lawsuits in the world happen in the U.S.; 25 percent of all Californians with an income over \$50,000 will be sued in their lifetime; and every California business may be sued in its lifetime.

Highlighting the California Business and Professions Codes 7195-7199, Rush outlined the responsibilities of a home inspector. They include identifying material defects that affect the value, desirability, and safety of a dwelling. Home inspectors should not consider style and aesthetics in determining whether a structure is safe. Rush said home inspectors should not perform any repairs on a property they have inspected within the prior 12 months. Home inspectors should not receive any financial interest, referral fees or kickbacks from their clients; nor should they require anyone to fix anything, place a value on a home, or advise a client whether or not to buy a home.

“Home inspectors are not experts, but are generalists,” Rush stated, and then noted, in the state of California home inspectors need not be licensed, but it is important for them to have certification of continuing education hours from the California Real Estate Inspectors Association and from the American Society of Home Inspectors. They should have proof of insurance, education, experience, references, and they need to keep up with new trends and issues, as well, he said.

A HOME INSPECTOR’S JOB, SAID RUSH, REQUIRES A CERTAIN AMOUNT OF PROFESSIONALISM AND TACT, SINCE HOME INSPECTORS ARE OFTEN CAUGHT BETWEEN THE SELLER, THE BUYER, AND THE LISTING AGENT.

Rush then focused on the meaning of the term, “as is,” which has been a bone of contention in numerous lawsuits. He said, “These words mean ‘as known, as disclosed, not willing to fix or negotiate repairs.’”

“They do not mean ‘don’t disclose,’” Rush warned the brokers.

In a perfect world, Rush said he would like to see home inspectors for both buyers and sellers, “so if both miss something, the problem probably wasn’t there.” He encourages sellers to have their homes

inspected before listing them because it would maximize offers, minimize contingencies and shorten the contingency removal period. This way, said Rush, “there are no deal-killing surprises.”

The Bay Area home inspector said the practice of sellers having their home inspected before listing their home is becoming more common in San Mateo County because it minimizes any chances of a “blown transaction” and relieves the emotional attachment and stress for the seller. Rush indicated because of a change in market conditions, the practice makes a better presentation package and can be used as the seller’s “fix-it” list, giving the seller the option to repair or replace items noted by the home inspector.

“It’s an ‘absolute must’ for ‘as is’-only transactions since it minimizes negotiations, eliminates surprises and reduces liability risk for all parties,” Rush urged. “It’s good for the buyer because the buyer knows the home has been inspected and he or she is likely to pay a higher price because of it, and get a better sense of the market value of the home right away.”

Note: Next week’s article will focus on Michelle Leu Zaccone’s presentation on “What You Need to Know About Disclosure.”

(HomeWords™—Continued from page

Eighth graders Amanda Balomaga, Katherine Yin and Fred Gutierrez were the top winners for their essays, which were titled “What is your American Dream?” They received cash awards from SAMCAR and certificates of achievement from the *San Francisco Chronicle*. Balomaga received first place and a \$100 cash award for her essay, which related how her parents, immigrants from the Philippines, worked hard for many years to achieve the “American Dream” of owning their own home. Yin, the second place winner, received \$75, for her essay, which stated the “American Dream” need not be one particular achievement, but can be anything or many things to an individual. Gutierrez received third place and a \$50 cash award. His essay was about how he regarded his home as a safe haven, where he can feel secure with his family and relax from everyday stress he experiences in the outside world, especially pressure from classmates and schoolwork. Valle-



Pictured left to right are Vallemar teacher Allison Leshefsky, SAMCAR Chief Executive Officer Janet Case, SAMCAR Director Sue Vaterlaus and Amanda Balomaga (first place).



Pictured left to right are Vallemar teacher Allison Leshefsky, SAMCAR Chief Executive Officer Janet Case, SAMCAR Director Sue Vaterlaus and Fred Gutierrez (third place).



Pictured left to right are Vallemar teacher Allison Leshefsky, Katherine Yin (second place), SAMCAR Chief Executive Officer Janet Case, Amanda Balomaga (first place), Fred Gutierrez (third place), and SAMCAR Director Sue Vaterlaus.

“CONGRATULATIONS FOR DOING JUST A GREAT JOB ON YOUR ESSAYS. IT’S IMPORTANT TO HAVE THE ‘AMERICAN DREAM’ AND ALL AMERICANS HOPE TO ACHIEVE IT. FOR MANY, THIS MEANS OWNING YOUR OWN HOME AND IT IS THE GOAL OF THE SAN MATEO COUNTY ASSOCIATION OF REALTORS® TO HELP EVERYBODY ACHIEVE THE DREAM OF BUYING YOUR OWN HOME,” CASE SAID.

sky also received \$100 as the teacher of first place winner Balomaga.

SAMCAR Chief Executive Officer Janet Case and 2006 SAMCAR Board Director Sue Vaterlaus (RE/MAX Dolphin Real Estate), who is a resident of Pacifica, presented the students their cash awards and certificates. Case congratulated the students for their accomplishments and spoke of the importance of the “American Dream.”

HomeWords™ is a newspaper-based educational program created by the Los Angeles Times and sponsored by C.A.R. and Fannie Mae®. SAMCAR is a HomeWords™ regional sponsor. This sponsorship provides classroom sets of

newspapers once a week for several weeks to participating teachers and students to use in their lessons. As part of the HomeWords™ curriculum, students consider the differences between what they want and what they need, particularly with respect to buying, selling, or renting a home; understand how location plays a part in the cost of a home; learn how their behavior with money could affect their lifestyles and ability to become homeowners in the years to come; and learn about the choices and trade-offs that are made when cities try to meet housing objectives while addressing concerns about growth. The curriculum has been developed to incorporate language arts skills in line with California’s educational standards. 🏠

APRIL 28: INDUSTRY INSIGHTS NEW MEMBER ORIENTATION



MAKE YOUR NRDS NUMBER WORK FOR YOU

Every REALTOR® is entered into the National REALTORS® Database System (NRDS) and assigned a NRDS (pronounced “nerds”) number when they become a member of organized real estate. Knowing your NRDS number is essential for accessing benefits available only to REALTORS®.

Your NRDS number is the gateway to numerous member benefits, including WINForms® Desktop and WINForms Online®, the electronic forms software providing the latest C.A.R. standard forms needed to complete a real estate transaction; confidential legal advice available through C.A.R.’s Legal Hotline; assistance from real estate technology experts through C.A.R.’s Tech Hotline; current housing market data compiled by C.A.R.’s research and economics staff, available in the Economics section of C.A.R. Online; and much more.

The simplest way to find your nine-digit NRDS ID is to log on to C.A.R. Online (www.car.org) and click on “Sign In,” located at the top of the screen. The sign-in box that appears contains a link that reads “I forgot my member number.” This option takes you to a page where you can search for your member number by first and last name. If you still have trouble determining your unique ID, you also can look at the address label of your California Real Estate magazine; the nine digits located above your name make up your NRDS number. All SAMCAR primary members’ NRDS ID starts with “1990.” Another option is to call SAMCAR for help at (650) 696-8200. ☎

OPEN ENROLLMENT

REALCARE

UNTIL MONDAY, MAY 15!

Eligible members, their families and W-2 employees cannot be turned down due to health conditions. Health, Dental and Vision Insurance plans available. Effective date of coverage, June 1, 2006.

TEL 1-800-939-8088
www.realcareca.com

In Memoriam

CHUCK HOCKADAY

Condolences to the family of Chuck Hockaday, a former long-time member in the Redwood City, San Carlos, Belmont Association and partner/owner of Redwood Associates, who passed away on April 28, 2006. After his retirement, Chuck moved to Loomis, CA, where he pursued his dream of breeding and racing horses.

DUE TO THE CLOSURE OF HWY 1 AT DEVIL'S SLIDE,

THERE IS A NEW TIME AND
LOCATION FOR THE

HALF MOON BAY
TOUR MEETING:

9:30 A.M. Half Moon Bay Tour
Mariner's Church, 225 South
Cabrillo Highway,
Suite 101C, Half Moon Bay

OPERATING INSTRUCTIONS FOR THE NEW iBOX

YOUR DISPLAYKEY CAN ACCESS BOTH THE INFRARED iBOX & THE STANDARD GRAY BOXES.



To open an iBox, when prompted point the DisplayKEY directly at the infrared lens located on the iBox.

For best results, the distance between your Key and the iBox should be within one foot. In direct sunlight you may need to shade the area between the Key and the iBox or place the Key right next to the iBox. Wait for the completion tones before breaking the connection between your Key and iBox.

After a few seconds, the key container unlocks. Press up on the bottom of the key container within 30 seconds to remove the key container from the iBox. After 30 seconds the key container relocks.

When you replace the key container hold the compartment with the keys facing you. Insert the key container into the bottom of the iBox. Push up on the key container until it closes. 🌀

MLS AREA ANALYSIS PLANNED

Do your listings ever pop up in the wrong MLS area in the RE InfoLink system? Or show up with the wrong city name attached to the address? This sometimes happens, and it creates a couple of problems for agents and homeowners.

First, properties are harder for buyers to find when they are not in the area they should be in. This occurs because many buyers' agents search by area, not by city; it is also the case that a city search sometimes will not reveal a property with the wrong area number if that area is assigned to another city. This throws off all Internet listing displays, too.

Second, when properties are recorded in the wrong area within the MLS database, both sales statistics and comps will be inaccurate.

In order to try and resolve some of these issues, SAMCAR Chief Executive Officer Janet Case is undertaking a project to identify and correct MLS area boundary problems. If you know of an area that repeatedly autopopulates incorrectly within the REIL MLS system, please contact her at jcase@samcar.org. 🌀

SAMCAR EVENTS & TOUR CALENDARS

May 10, 1:00 P.M.–3:00 P.M.

Construction Financing Seminar “Building Your Dream Home”

Nikki James, Eric Kinney & Dan Maher, experts in purchase and construction lending are pleased to bring you an educational talk on purchase and construction financing. They will discuss how to value a construction project whether it is a fixer upper or ground up construction. Learn how to build a complete construction budget and how to determine if a project is feasible. The information you receive will enable you to help your clients make more educated decisions regarding the purchase of their home if they have any thoughts of construction on the home, be it large or small scale. Space is limited. Please call SAMCAR by May 9th to register 650-696-8200.

May 11, 8:00 A.M.–5:00 P.M.

GRI “Real Property, Tax and Exchanging”

To register, please call the Professional Realty Institute 888-785-4800.

May 19, 9:00 A.M.–1:00 P.M.

Foreclosure & REO Properties: Find, List, Purchase and Sell

Instructor Larry Blachman has an extensive background in purchasing and marketing foreclosure & REO properties. His seminars have been consistently rated as dynamic, entertaining and extremely informative.

Fee to attend is \$99.00. Call SAMCAR at 650-696-8200 to register.

May 25, 2:00 P.M.

PRDSForms.com Training

Learn how to use PRDS Forms online to create your transactions. (Free class) Call SAMCAR at 650-696-8200 to register.

June 7, 10:00 A.M.

PRDSForms.com Training

Learn how to use PRDS Forms online to create your transactions. (Free class) Call SAMCAR at 650-696-8200 to register.

June 29, 8:00 A.M.–5:00 P.M.

GRI “Essential Concepts of the C.A.R. Purchase Agreement”

To register, please call the Professional Realty Institute 888-785-4800.



Future Tentative Events:

Thursday, June 8, 2006

Tax Deferment Strategies for Realtors and Realtor Affiliates

Thursday, August 10, 2006
Technology

Thursday, October 12, 2006
TBA

Thursday, October 19, 2006
Wine Tasting

R.S.V.P. & Questions:

Linda Maltby, WCR Secretary
(650) 888-8097

MARKETING MEETINGS FOR TUESDAY, MAY 9

8:30 A.M. CENTRAL TOUR
SAMCAR, 850 Woodside Way
in San Mateo

Speaker: Devin Hassett, *Centex Homes*

Topic: TBA

8:30 A.M. SOUTH TOUR
Veterans' Memorial Building, 1455
Madison Avenue in Redwood City

Speaker: Vince Malta, *2006 California Assn. of Realtors® President*

LOCATION & TIME CHANGE!

9:30 A.M. HALF MOON BAY TOUR
**Mariner's Church, 225 South Ca-
brillo Highway, Suite 101C in
Half Moon Bay**

9:30 A.M. PACIFICA TOUR
Community Center, 540 Crespi
Drive in Pacifica

MLS TOUR SHEET DEADLINE REMINDER

Property tours take place on Tuesdays.

The deadline for adding tours in the MLS is 11:00 A.M. on Mondays.

Entry deadlines are subject to change for holidays.

For Monday holidays, the tour deadline is the prior Friday at 11:00 A.M.

FACTS FLASH is published weekly by the San Mateo County Association of REALTORS®, 850 Woodside Way, San Mateo, CA 94401, & distributed to more than 3,719 recipients. Copyright © 2006, all rights reserved. Phone (650) 696-8200, fax (650) 342-7509 or email us your questions or comments at newsletter@samcar.org