



AREA

ASSOCIATED REALTY OF THE AMERICAS



Happy Holidays



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ASSOCIATED REALTY OF THE AMERICAS

"All the news that fits."

Our members are 110% committed to excellence in our real estate profession. Our mission encompasses: Sharing BEST Practices with our colleagues; treating all referrals with the utmost of care, honesty and integrity; and being involved in organized real estate for the betterment of our profession."

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A R E A M E R I C A S . C O M



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Thoughts from Seth Task

The year 2020 will go down in history as a year filled with unscripted and remarkable events. It is only fitting we end the year with this Special Edition newsletter exclusively highlighting the sensational leadership performance of **Vince Malta** and his team at the **National Association of Realtors**. On behalf of our entire **AREA membership**, this special edition is dedicated to their incredible efforts that kept our ship not only afloat, but sailing in clear and safe waters. Additionally, we welcome the 2021 leadership team.

May your course be straight and true.

Thank you all so very much.

Warm regards to all,

Seth task



As the industry's leading digital real estate tool, RPR gives you access to data and reports that will help you "wow" your clients and close more deals. You can use RPR to research properties, gauge the market and generate detailed reports. It will help you make a memorable first impression, be more efficient and more productive, and ultimately, take more clients to the closing table.

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- Commercial tools: demographic data, consumer spending behavior and investment analysis.



Leslie Rouda Smith
President-Elect
National Association of REALTORS®



Nancy Lane
Treasurer



Vince Malta
Immediate Past President



Leigh Brown
Vice President Advocacy



Tommy Choi
Vice President Association Affairs

How proud we of AREA
are to be associated with these
awesome Leaders of the NAR
plus the many who serve as
Regional Vice Presidents
as well as State and Local Officers

*We Proudly
Salute*

Welcome **NEW MEMBERS**



Ryan J. Johnson, CCIM
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RYAN J. JOHNSON, CCIM

A graduate from the University of Nevada, Reno with a major in Computer Information Systems. Ryan specializes in Commercial Real Estate leasing and acquisition for retail, land, office and industrial sites. Additionally, Ryan is involved in investment sales of Commercial properties as well as leasing. He worked and managed over 750,000 sq ft of office, medical, retail and industrial space for a large developer for 4 years prior to joining Johnson Group in 2006 and now referred to as CHASE-JOHNSON COMMERCIAL.

Specialties:

Commercial Real Estate, Investments, Real Estate Funds, Retail, Industrial and Office Properties, Leasing, Tenant Representation, Sales, Landlord Representation, Subleasing, and now has started working on Funds and Development.

PROFESSIONAL BACKGROUND

Has personally brokered over \$300,000,000 in real estate investment sales. 4-time COSTAR Power Broker Award Winner, 2018 & 2019 Summit Award Winner.



Ann DeFries
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ANN DEFRIES

A REALTOR in the Broward, Palm Beach and St. Lucie Association of Realtors since 1987, and is licensed with Century 21 Hansen in Fort Lauderdale.

2020 NAR Liaison to Association Management

Has chaired the NAR Committees of Leadership Academy, Local Association Forums and have served on various committees, such as Public Policy, Business Issues, Membership Jurisdiction and Executive Committee.

Golden R Presidents Circle, Hall of Fame

Federal Political Coordinator to Senator Rick Scott

2008 National President, Women's Council of Realtors

Chaired every REALTOR® Advocacy Committee at Florida Realtors

President, REALTOR® of the Year and numerous awards, Ft. Lauderdale Association of REALTORS®

Holiday Treat!
for the rookie who needs a little help

PURCHASE YOUR COPY HERE

STOP SELLING YOURSELF SHORT
Key Lessons Learned for a Successful Career in Sales
HANS HANSSON

What Landlords Need to Know about CDC's Eviction Moratorium

BY CHRIS MCELROY



Chris McElroy
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As a measure to contain the spread of COVID-19, the federal Centers for Disease Control and Prevention (CDC) recently issued a temporary halt on evictions of tenants for not paying rent for housing.

So, if you're a landlord who is not collecting rent, where do you stand?

Fundamentally, the CDC ruling comes with qualifications. It does not relieve any tenant of their obligation to pay rent or meet any other obligation they have under terms of the lease. Landlords can

still assess late fees, penalties, or interest as a result of the failure to pay rent. Additionally, a landlord can still evict a tenant for reasons other than not paying their rent.

For a tenant to avoid eviction, they must also fill out a CDC declaration form to show:

- They made their best effort to obtain all available government assistance for rent or housing
- They expect to earn no more than \$99,000 in annual income for the calendar year (or no more than \$198,000 for joint filers)
- They are unable to pay full rent due to substantial loss of household income, loss of compensable hours or work or wages, lay-offs or extraordinary out-of-pocket medical expenses
- They are making their best efforts to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other nondiscretionary expenses
- They would likely become homeless and need to move into a shelter where people live in close quarters
- They understand they must still pay rent

If you're uncertain about the tenant's circumstances, you can still proceed with the eviction process and allow individual judges to determine if the federal order applies to the tenant being evicted.

IS YOUR INSURANCE COVERAGE KEEPING PACE WITH PROPERTY VALUES?

Colorado homeowners are well aware of their rising real estate values. Odds are the value of the property inside your home -



think of all that you've sunk into smart gadgets and household electronics in recent years - has been rising too.

As we've learned from watching the recent wildfires unfold across the American West, including right here in Northern Colorado, maintaining the right insurance coverage is important for protecting your investment. It pays to keep track of the worth of your personal goods and adjusting your home insurance policy accordingly.

Checking it twice ...

Following is a list of best practices for making sure the belongings in your household are fully covered when you need to make insurance claims:

Pictures & Videos - Capture images of your belongings using a smart phone and store them in a separate location from your home, such as cloud-based storage folder.

Smart Phone Application - Apps such as the UPHelp Home Inventory tool are available to simplify the steps of combining images with details of your valuables.

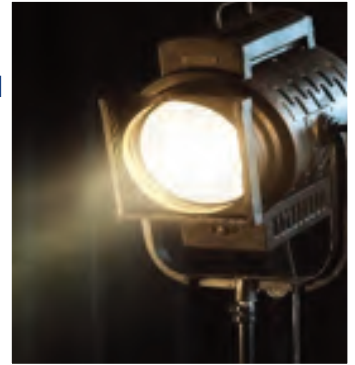
Documentation - Establish a manifest or spreadsheet that details your belongings. Update the list at regular intervals.

Call me to get a printed form or a digital spreadsheet file that can help you take and update the inventory of personal belongings in your home.

SPOTLIGHT: 2021 North America Heritage Award™

ASSOCIATED REALTY OF THE AMERICAS

North America Heritage Award™ NOMINATION REQUEST



Dear Fellow AREA Members:

We have changed the name of our award to reflect exactly who we are! In addition we have expanded our committee to include 8 members.

This year's chair will be the former State President of the Arizona Real Estate Association, **Mary Roberts** of Lake Havasu City, Arizona and **Linda Neil** of Los Cabos is vice-Chair.

SUBMISSION INFORMATION

Criterion requires: 1. Owner Approval. **2.** Reason such a property (be it land, residence, commercial or other) be considered. Please note: This designation is for historic properties, which, otherwise may be overlooked by the National Historical Society or other such groups.

Please make your submission(s) directly to carl@areamericas.com.

The Committee will review each recommendation and then vote on their acceptability. Once determined, a final nominee will be chosen.

Over the years we have been proud to have presented this honor to over a half dozen deserving properties, suggested by you our members, from throughout North America. Please join us as we honor our heritage, while, at the same time, recognizing your personal contribution to our industry.

Thank you in advance for your consideration and assistance,

Katy Bullock

Co-Founder,
NORTH AMERICA
HERITAGE AWARD



Linda Neil
Los Cabos, MX



Mary Roberts
Lake Havasu City, AZ



Miriam Dunn
Scarsdale, NY



Andrea McKey
Baton Rouge, LA



Mercedes Duenes
Guadalajara, MX



Eileen Oldroyd
Mission Viejo, CA



Dave Pike
Denver, CO



Daryl Baskin
Tulsa, OK



**Gina Marie
Bettenhauser**
Long Island, NY





JANUARY IS RADON ACTION MONTH

Any property can have a radon problem – old or new, well-sealed or drafty, with or without a basement. The EPA estimates that 1 in 6 homes in the U.S. is affected by radon. Prolonged exposure to unsafe levels of radon can create an increased risk of lung cancer; in fact, radon is the second leading cause of lung cancer after smoking and causes an estimated 21,000 lung cancer deaths each year. Lung cancer caused by avoidable radon exposure is preventable, but only if radon issues are detected and mitigated prior to prolonged exposure in homes and buildings. There is real risk in not knowing if a property has a high level of radon.

What Is Radon?

Radon is a naturally occurring, odorless radioactive gas formed by the ongoing decay of uranium in soil, rocks, sediments, and even well or ground water. While radon that escapes into the atmosphere is not harmful, dangerously high concentrations can build up indoors, exposing occupants to possible health risks.

How Does Radon Get Into A Home?

Radon can migrate to the indoors in several ways. Openings or cracks in basement walls, foundations or floors are common avenues. Sumps, basement drains, and spaces between gas or water fittings can also allow radon into the structure. Other entry points can include gaps in suspended floors and cavities within walls.

Should My Clients Have Their Home Tested For Radon?

Testing is the only way to determine if a home is affected. While some geographic areas are more prone to elevated radon in general, radon can and does occur everywhere and levels can vary from home to home, even within the same neighborhood.

A professional radon test includes setting up monitoring equipment at the property and reporting on the results. If an elevated level of radon is detected, steps can be taken to reduce the concentration to or below acceptable levels inside virtually any home. These measures can include a relatively simple setup such as a collection system with a radon vent pipe, which will prevent radon from entering the home in the first place. Professional mitigation services can provide recommendations for a home's specific conditions.

Stephanie Bowling

Director of Marketing, Pillar To Post Home Inspectors Inc.



A Memo From David White & Associates

How to unlock a Commercial listing that you may not otherwise have had!

Whether or not you are aware, you probably know clients or prospective clients looking for a way out of being a landlord, but do not want the tax burden of capital gains and depreciation recapture that comes with a sale.

Maybe they have reached retirement age, want to travel, are tired of managing properties, and would like a passive income while deferring capital gains tax.

Sure, a traditional 1031 will get them out of their current property but puts them back into the landlord role on the new property. There are many property owners doing nothing to change their circumstances for that very reason, and they have no interest in selling.

If you could show them an option that fits their needs, they may be inclined to list that property!

Delaware Statutory Trusts (DST) investments are recognized by the IRS as like/kind real estate investments for 1031 and 1033 exchanges. They are similar in nature to T.I.C. investments but provide more investor protection including non-recourse financing.

The properties are operating and leased prior to client investment. Income starts on the close date. The same rules apply as conventional exchanges regarding use of an intermediary and 45/180-day exchange rules.. DST shares offer easy division to heirs and retain step-up in basis at death. DSTs can be used as the only exchange property or as a filler for unspent "boot."

Exchanging a property with debt is an option. Many DSTs include leverage that is passed to the buyer without qualification or loan application. Unlike a T.I.C., the investor does not need to form an LLC or provide their own financing or cash to replace relinquished debt. The process is much simpler and affords additional consumer protections.

Additionally, if the internal leverage in a DST purchase exceeds their debt requirement, the buyer obtains additional real estate creating a new depreciation schedule.

An investor can sell one property and purchase several DSTs to gain further industry and geographic diversification.

A Summary of DST Features and Risks:

- Defer taxes on rental or investment property sale
- Provide steady monthly income from professionally managed properties
- Avoid the need to add cash or qualify for debt to meet exchange numbers. Leveraged DSTs can solve financing problems
- Identify a back-up property in case a 1031 purchase fails
- Provide a "filler" to complete an exchange and avoid boot.
- Eliminate day to day management of rental properties

- Help solve reduced income problems due to vacancy, high tenant turnover, rent control and increasing expenses.
- Provides simple estate planning. Shares are divided among beneficiaries while retaining step up in basis.
- For those retiring and selling their business property, they provide tax deferral and income.
- For 1033 involuntary transfers sales via imminent domain
- Sell a single property and diversify into multiple real estate sectors and locations, all while deferring taxes and retaining step-up in basis at death
- DSTs are securitized investments. Investors must meet Accredited Investor Requirements as defined by the SEC: In the United States, to be considered an accredited investor, one must have a net worth of at least \$1,000,000, excluding the value of one's primary residence, or have income at least \$200,000 each year for the last two years (or \$300,000 combined income if married) and have the expectation to make the same amount this year. The term "accredited investor" is defined in Rule 501 of Regulation D of the U.S. Securities and Exchange Commission (SEC).

Securities Disclaimers

- An investment in the Interests of the Trust involves significant risk and is suitable only for Investors who have adequate financial means, desire a relatively long-term investment and who will not need immediate liquidity for their investment and can afford to lose their entire investment.
- The Interests are subject to legal restrictions on transfer and resale and Investors should not assume they will be able to resell their interests.
- There is no public market for the Interests.
- Investors may not realize a return on their investment for years, if at all.
- There are various tax risks, including the risk that an acquisition of an Interest may not qualify as a Section 1031 Exchange.

David White & Associates can help. Contact Chris Riel or Kirk Dobson for more information.



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Rest In Peace



Hans Hansson accepted an award from Rafter Johnson and Ronna Brand after participating in a drawing for the 2015 Special Olympics, co-chaired by the two of them to raise money for the event. Hans, who, generously, entered the contest with no hope of winning, flew down to Beverly Hills to receive the award.

"He was the most genuine and kindest person I have ever met"
– Ronna Brand December 3, 2020



"One of the greatest thrills of my life was meeting this incredible human being" – Hans Hansson, December 3, 2020



50% off marketing fee for 1st listing upgrade

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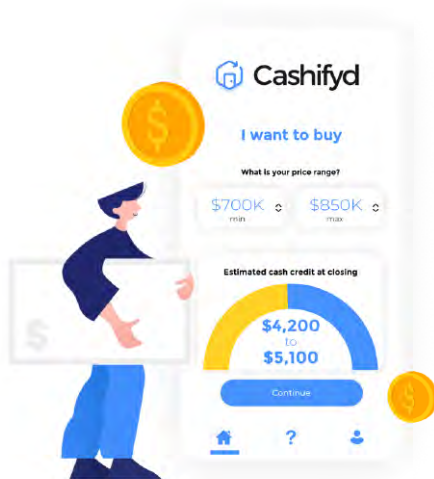
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On the **Lighter Side** with **Trinkie**

Featuring Tahoe's Trinkie Watson and her wit and wisdom.

When insults had class:

When Insults had Class. "They never open their mouths without subtracting from the sum of human knowledge." —Thomas Brackett Reed

When Insults Had Class. "He can compress the most words into the smallest idea of any one I know." —Abraham Lincoln

When Insults Had Class. "There's nothing wrong with you that reincarnation won't cure."
—Jack E. Leonard

Stay Safe! Love to All,
Trinkie



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A BIG
Thank You
to our 2020 Sponsors





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Legal Update (Aug/Sept Dennis is off this month)

with Dennis Badagliacco past Chair of the Legal Advisory Committee of the NAR

It is the Season To Be Merry, AKA THE SEASON TO FILE LAW SUITS

DOJ sues NAR, alleges illegal restraints on Realtor competition. The proposed settlement will require NAR to repeal or change several rules the Department of Justice deems anticompetitive. Exact details of the settlement have not been announced. One speculation is that the settlement may actually include an observer. It's speculated the settlement has to do with the NAR rules dealing with disclosure of commissions paid to the selling broker in transactions and with any potential requirement for paying any commission or percentage of the split to the buyer's agent. You will note this is somewhat similar to the class action NAR suits which have already been filed. Speculation is the DOJ settlement could lead to a settlement of the class action suits.

Alabama and Georgia Realtors have sued the Trump administration over "the unconstitutional" eviction ban. The Realtor associations allege the Center for Disease Control ban on evictions shifted billions of dollars onto the backs of property owners. The issue at hand is can the government force one group (property owners) to absorb the loss of rents AND NOT BE COMPENSATED for a governmental taking of property rights. Even the loans offered are

not acceptable. The Realtors allege a landowner should not be forced to take a loan which has to be paid back to support the idea of giving one class of people (renters) rent forbearance. True the tenants "can be evicted" at the end of eviction moratorium, but land owners stand little chance of ever collecting the rent.

CoStar is Making Moves: CoStar is the large commercial data firm which controls a large segment of the commercial sector. CoStar provides listing services and broker services to commercial brokers and allows anyone to view the listings.

CoStar has acquired Homesnap for \$250 million. This move will allow CoStar to move into the residential side of the business and allow CoStar to compete with Zillow. CoStar has 300,000 members on the commercial side.

The FTC has sued CoStar to stop the acquisition of RentPath. The FTC alleges the acquisition would increase concentration in the non-commercial side of the rental business and would eliminate competition which could drive prices down.

HAPPY HOLIDAYS TO ALL.