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Sent: Friday, November 1, 2019 10:23 AM
To: Amy Lowdermilk
Subject: November 2019 Newsletter

GCBR Newsletter

In this Issue

- Upcoming Events
- 2019-20 Dues Notice
- GAD Report
- REALTOR® Safety
- CE Schedule
- NAR News
- MR News

- Bright MLS
- COE Case Study
- YPN
- Membership Update

Upcoming Meetings/ Events:

Friday, November 1st GCBR's new fiscal year begins!

Friday, November 8th GCBR is closed for CECs with Mark Feinroth

10 am - 1 pm Brokerage Relationships & Disclosure (formerly known as Agency)

Lunch is being sponsored by First United Bank & Maryland Title Center

2:30 - 4 pm Fair Housing

Thursday, November 28th GCBR is closed for Thanksgiving

GCBR Board of Directors Meeting

Wednesday, November 13, 2019 @ 9:00 a.m. at the GCBR office.

2019-20 Dues Notice

If your 2019-20 dues are not paid by November 30, 2019 a 10% late fee will be added and as of December 1, 2019 the amount owed is $780.70

If you wish to pay via credit card online go to the NAR website at nar.realtor**.**

Login and click on Pay Dues.

GAD Report

Earl Eisenhart

October 31, 2019

County School Facilities Plan

The Garrett County Board of Education is reviewing a major proposal to finance school facilities maintenance and improvements. The “Garrett County

Public Schools Facilities Strategic Plan" has been generated by the Strategic Facilities Committee, made up of community representatives and assisted by the consulting firm Educational Facilities Planning LLC.

The total price tag for the proposed program is approximately $54.5 million, with $32.8 million anticipated to come from the County government. The proposal specifically references property tax increases as one means of covering the local costs.

The funding is intended to cover a spectrum of facility needs including: enhanced security; designated spaces to address disruptive behaviors; community support spaces including for Head Start, day care and extra-curricular activities; aging buildings; open space classrooms; overcrowding; and facility deficiencies.

The proposal also includes a number of recommendations for operational changes including: redistricting to balance enrollments and better utilize existing capacity; relocation of Board of Education offices; and, a study of the advantages and costs of consolidating the two high schools into one property.

The recommendations are expected to be presented to the Board of Education at its meeting on November 12.

It has to be noted that these proposals come concurrently with the state-level Kirwan Commission education proposals that carry an estimated $4 billion price tag over 10 years, with $1.2 billion coming from county governments. Garrett County is expected to be hard hit by this program given the state-local cost share formula and other factors.

The Chamber of Commerce is also reviewing the Strategic Facilities Committee proposal and is expected to forward a letter to the Board of Education expressing concerns with the cost estimates, how the County would generate the funds, and the potential impacts on the community as a whole.

Kirwan Commission -- Higher Taxes Expected

The Maryland Commission on Innovation and Excellence (Kirwan Commission) is recommending that Maryland state and county governments expend an additional $4 billion over ten years to finance improvements to Maryland public schools. County governments and the City of Baltimore would be expected to collectively contribute $1.2 billion of this amount.

The money would go to a variety of programs, including teacher salaries, pre-kindergarten programs, additional counselors and health professionals, career preparation programs and school supplies.

While details of how to pay for the program are still being worked out, it is likely that counties, including Garrett County would need to increase taxes, perhaps significantly, to fulfill this obligation. The lions share of this would fall on property and income taxes.

The Commission recommendations appear to be generally supported by Democrats in the Legislature. However, Governor Hogan is vocally opposed to what he calls the “Kirwan Tax Hike Commission.” (It is worth noting that the new incoming Senate president, Bill Ferguson, from Baltimore, is a former teacher and former member of the Kirwan Commission.)

It is expected that the General Assembly will consider legislation to put the funding recommendations into law during the 2020 legislative session.

It is also possible that the Legislature will consider ways to limit an increase in existing taxes such as legalization and taxation of recreational marijuana and sports gambling, eliminating some existing tax credits and expanding a tax on online sales from out-of-state companies.

DOJ Intervenes in Antitrust Lawsuits

The U.S. Department of Justice has weighed in on NAR’s motion to dismiss multiple antitrust cases against the association. The suits accuse the organization of colluding, inflating commissions, and anti-competitive behavior, due in part to its compensation rules, which require home sellers to pay fees for both the listing agent and the buyer’s agent. Four major real estate

brokerages are also named in the suits.

NAR moved to dismiss the cases in May, arguing that plaintiffs misrepresented NAR's compensation rules, and that DOJ had offered "express permission" to employ the rules, as part of a 2008 settlement agreement.

DOJ's response challenges the latter assertion: "In that case, the United States did not examine the rest of NAR's policies, including those at issue here, and therefore those policies simply were not subjected to antitrust scrutiny," the DOJ said… "those other policies were in no sense analyzed and found consistent with antitrust laws."

According to legal analysts, DOJ's intervention in civil suits of this nature is unusual and this and other factors make it unlikely the case will be dismissed on the grounds presented by NAR's motion.

NAR is standing by its interpretation of the settlement agreement. In a statement, the association said "We believe we have always accurately described the implications of the consent decree we agreed to in 2008. Regardless, the MLS system creates competitive, efficient markets that benefit home buyers and sellers as well as small business brokerages."

DOJ has reportedly launched an independent investigation of residential brokerage and MLS practices.

REALTOR® Safety

Do you have a saftey app on your smart phone? If not, you may want to consider getting one. There are numerous free and low cost apps to choose from.

2020 Winter/Spring Continuing Education Schedule

All classes will be held at Garrett College, 687 Mosser Road, McHenry, MD 21541
CE Room 111 in Garrett Enterprise Information Building next to CE building.

No credit is given for late arrivals.
Photo ID Required

The March, April, and May Schedule is Coming Soon

Seating is first-come, first-served basis.
For Registration Flyers:

- Call GCBR 301-334-8405
- Email amy.lowdermilk@gcbr.org
- Click on the course title which is linked to the registration form.
- Pull from the GCBR closed Facebook group
- Download from the member-side of the GCBR website: www.gcbr.org

15 hrs of CE for license renewal:
Bold indicates required courses.
3 hours Topic A: Legislative Legal Update
1.5 hours Topic C: Fair Housing
3 hours Topic D: MD Code of Ethics/Predatory Lending
3 hours Topic H: MREC Agency Residential
4.5 hours in electives (Topics E & F)
3 hours Topic I: MREC Supervision
Required for **Brokers, Managers & Team Leaders;**
Elective for everyone else.

National Association of REALTORS®

NAR Counters Mortgage Concerns

In an opinion piece written for *American Banker*, NAR President John Smaby joins other industry leaders in countering arguments that the federal government has increased its exposure to risky mortgages. The piece was co-written by NAR, the Mortgage Bankers Association, the American Bankers Association, and the National Home Builders Association and describes how new laws and other factors ensure sustainable mortgage lending.

NAR Issues Warning Over Scam

Be aware of a fraudulent email circulating under the subject line "Register for the 2019 REALTORS Conference." The email address includes appraisal language and is from a Comcast address but displays as if it was from NAR. It's yet another scam.

Put Retirement on the Radar

It's never too soon to start planning for retirement, and this free Center for REALTOR® Financial Wellness webinar, Nov. 14, will dive into the tax ramifications of various financial strategies.

Medicare Open Enrollment

Medicare open enrollment is on now. If you are Medicare-eligible and wish to explore or enhance your supplemental Medicare insurance options, now is the time. NAR's private Members Medicare Exchange provides access to a variety of plans through the REALTOR Benefits® Program.

Maryland REALTORS®

The Maryland Real Estate Commission **updated brokerage forms** have been available since **October 1st**. The forms are on the Commission's website and include: Understanding Whom Real Estate Agents Represent, Consent for Dual Agency, Notification of Dual Agency Within Teams, Open House Disclosure Sign and Maryland Residential Property Disclosure/Disclaimer Form.

2019 Maryland REALTORS® forms are posted on Maryland REALTORS® website. For details regarding the changes, review the 2019 Summary of Changes & Practice Tips. Click here for more info.

Contracts Questions?
Join MR's legal team to hear about the new and revised Maryland REALTORS contract forms on November 12th for a FREE webinar. Register for the webinar here.

Save the date!
Maryland REALTORS Lobby Day returns on January 14, 2020 at Governor Calvert House in Annapolis.

Bright MLS

Remine's "Pro" features are now included in your Bright subscription
Exciting news! Bright is expanding your access to Remine. Now, Remine Pro is available for free as part of the Bright subscription. That's a $199 per month value- $2,400 per year! Remine Pro includes all of the information in your current version of Remine, like who owns a property, who is living in it, what their mortgage balance is, and when they are likely to sell. It also includes additional tools and features only available through Pro, like free credit reports, Buy Scores, and the ability to track up to 10,000 properties,ect.

Infographic: 5 things to know about about Bright's Off-MLS policy
Did you know our new Off-MLS policy specifically applies to Residential Sale listings? Check out five key things you need to know about this policy, how it relates to public advertising/marketing, and when to enter a listing into Bright.

Case Studies Interpretation of the Code of Ethics

Case #16-18: Assumed Consent for Direct Contact

(Reaffirmed Case #22-2 May, 1988. Transferred to Article 3 November, 1994.

Transferred to Article 16 November, 2001.)

REALTOR® A, who held an exclusive listing of Client B's property, invited REALTOR® C to cooperate with him. When REALTOR® C, shortly thereafter, received an offer to purchase the property and took it to REALTOR® A, the latter took REALTOR® C with him to present the offer to Client B, and negotiations for the sale were started. The next day, REALTOR® C called on Client B alone, recommended that he accept the offer which was at less than the listed price, and Client B agreed. The contract was signed and the sale was made.

These facts were detailed in a complaint by REALTOR® A to the Board of REALTORS® charging REALTOR® C with unethical conduct in violation of Article 16, having made his second contact with the client without his, REALTOR® A's, consent.

At the subsequent hearing, REALTOR® C defended his actions on the basis that since he had been invited to cooperate with REALTOR® A, and particularly since REALTOR® A had invited him to be present when his offer was presented to the seller, REALTOR® C had assumed that he had REALTOR® A's consent for subsequent direct contacts with Client B. He stated further that he had a good reason for going alone because in his first visit to the client, REALTOR® A had undertaken to present his, REALTOR® C's, offer without fully understanding it and had made an inept presentation. Questioning by members of the Hearing Panel revealed that there had been some important considerations that REALTOR® A had not understood or explained to the client.

The conclusion of the panel was that the consent of the listing broker required by Article 16, as interpreted by Standard of Practice 16-13, cannot be assumed, but must be expressed; and that REALTOR® C had violated Article 16 by negotiating directly with REALTOR® A's client without REALTOR® A's consent.

YPN

iBuyers: Lead Disruptors or Generators? By Lee Davenport

Back in 2007, I was laughed at by a publicist/marketer when I said I liked this new website called Facebook for business marketing. That “expert” said, “Facebook? That’s for teenagers. Myspace is the place to be!”

Watch the video.

Membership Update

New REALTORS

Chris Shue, Railey Realty

Charles 'Len' Eaton, Long & Foster Broker

Transfers

Debbie Beitzel, Long & Foster

Bayley Smoot, Taylor-Made

Drops

Nancy Jo Fratz-Shelton, Railey Realty

Ed King, Taylor-Made

Vicki Taylor, Taylor-Made

Adam Conrad, Perry Wellington

Mary Meyers, Railey Realty

Affiliates

Professional Residential Inspection Team: Tom Burke dropped, Wayne McCusker is still active

HOA Contact and Subdivision Dock Reference List

Remember – the **HOA Contact and Subdivision Dock Reference List** is kept current and available to you on the GCBR website – member side at www.gcbr.org. If you obtain new contact information for any of the HOA properties, please email Amy the updated information so the list can be kept current.

The Board of Directors is pleased to inform you of a new member benefit that can save you up to $270 a year!

SmartCharts Pro delivers accurate, timely market data in easy-to-understand charts and reports. Show clients and prospects exactly what's happening with pricing, sales, time on market and other points of interest that will help them make smarter decisions.

********M**embers please go to** www.getsmartcharts.com/pricing **and select the pink box to sign up at no cost.**

When you sign up you will need your broker's Bright broker code. You can obtain this from your broker or the GCBR office.

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You can update your preferences or unsubscribe from this list.