

NCMAR Leadership

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Thomas Ruble
Exit New Options Real Estate

President's Message

Good day everyone!

NCMAR was presented a check from the MAR Charitable Foundation for the benefit of the Montachusett Veteran Outreach Center of Gardner - Serving the North Central region of Massachusetts. Thank you Kathy for your efforts to obtain this grant.

We've all heard of the Consumer Financial Protection Bureau. I'm sure most of you have been educated as to how it will affect your business regarding the sale of real estate. BUT I also hope you have been made aware of the impact this new government creation affects your relationship with lenders, attorneys, title insurers and any firm considered a settlement service providers. Be sure to visit: <http://www.consumerfinance.gov/>

Marketing Service Agreements are under fire. Do you have a lender or attorney helping you sponsor events or marketing? Do you have a lender or title company providing free training from an outside trainer? Have you received anything of value from a settlement provider? There have been HUGE fines for violating RESPA regulations and the CFPB is out to make examples...so please get educated and be careful.

The market is heating up! Pending sales in the areas covered by NCMAR were up 47.5% in April! Huge jump. Listings saw a 5%



Bill Foss, 2015 President

bump from a year ago...good news...while prices and showed little change year over year in April.

REMINDERS:

2015 REALTOR® Day on Beacon Hill
Dates: 10 Jun, 2015
Location: Boston, MA
REALTOR® Day on Beacon
We'll be carpooling from the cinema in Leominster at 7:30 am.

June Awards Gala "Night At the OSCARS Theme"
Monday, June 8, 2015 (5:00 PM to 8:00 PM)
Apple Hill Farm, Leominster

Be sure to register today at www.ncmar.com!

Premiere Sponsor

Fidelity Bank
HELPING YOU GET WHERE YOU WANT TO BE

Notes from the MAR Legal Hotline

Michael McDonagh, MAR General Counsel

Ashley Stolba, MAR Associate Counsel

Justin Davidson, MAR Staff Attorney

Q. I am I'm working on taking a listing that was built before 1978. The seller did a lead test from a testing kit that she bought and it was positive for lead paint. A version of EPA's pamphlet "Protect Your Family from Lead in Your Home" states that studies suggest that home test kits for lead are not always accurate, and that consumers should not rely on home test kits to assure safety. Therefore, does the use of home test kits for lead constitute knowledge of lead-based paint for disclosure purposes? Must this be disclosed to potential buyers?

A: Yes, this must be disclosed to prospective buyers. According to a HUD Guidance Memo,

"if an owner has information obtained from the use of a home test kit for lead, that information must be disclosed; however, the owner should also disclose information about the reliability of the test kit results." Therefore, if the testing kit showed the presence of lead paint in the home, this must be disclosed to prospective buyers. It is recommended that the results of the test-kit be affixed to the lead paint disclosure, which will also indicate that the homeowner conducted the test, rather than a trained professional. As always, the prospective buyer shall have a 10-day opportunity to conduct a risk assessment

or inspection for the presence of lead-based paint and/or lead-based paint hazards. The foregoing also applies to rental properties built before 1978.

Q: The landlord that I represent has stated that he will not accept a tenant application from a tenant who has a credit score below 450. I have received an application from a tenant who is a recipient of Section 8 subsidy who has a credit score of 400. Must the landlord accept this applicant, since he is a recipient of a public subsidy?

A: Prospective tenants who receive rental assistance are a protected class under state law, Massachusetts General Laws, Chapter 151B and, as such, it is illegal to discriminate based on the fact that he or she has a Section 8 certificate or voucher.

Applicants may not be rejected solely because they are subsidy recipients, however, a landlord is otherwise free to enforce legitimate, non-discriminatory screening criteria and deny applicants who do not meet that criteria. Poor credit is considered an appropriate reason for rejection. Other examples include a criminal record and a lack of references. Keep in mind, though, that a screening policy of this type must be followed consistently without arbitrary waivers. Deviation from the criteria set by the landlord could be viewed as a form of discrimination against subsidy recipients and other members of protected classes.



Q. I have heard from a prospective tenant that there is a requirement under Massachusetts law that a landlord provide an executed copy of a lease within 30 days in order to form a valid tenancy. Is this true? If a tenant does not receive a copy, what effect would it have on the tenancy?

A. Massachusetts General Laws, Chapter 186, Section 15D states, in part that "a lessor who has agreed orally to execute a lease and obtains the signature of the lessee shall, within thirty days thereafter, deliver a copy of said lease to the lessee, duly signed and executed by said lessor." This language places the burden on the landlord, or his or her agent, to ensure that the tenant has received a copy of the lease in those circumstances where the landlord has verbally agreed to the tenancy. The statute goes on to include a provision that prohibits any waiver of this requirement within the lease and also makes it possible for a landlord to be fined up to \$300 for failure to comply. According to case law in Massachusetts, noncompliance with this law does not in and of itself render an otherwise valid lease unenforceable.

The MAR Legal Hotline

is available **free of charge** to all office principals and their designees who have completed the Hotline Authorization form. To obtain a copy of the form, visit MAR's website at www.maREALTOR.com or simply call the Hotline at 800-370-5342. The Hotline is open Monday to Friday from 9:00 am to 4:00 pm

Good Neighbor—Sherrie Tammelin

Sherrie Tammelin of Coldwell Banker Residential Brokerage

Sherrie has poured her life into “paying it forward”. She began as President of the Leominster MOMS Club to fund-raise for a number of charitable causes including a teacher battling cancer, a family who lost their young mother, snacks, poems and gifts to local fire and police stations. She raised funds for the American Red Cross, worked with the Fall Brook PTO, the Doyle Field Foundation and Leominster Pop Warner.

Her passion has been working closely with young men and women who were close to her son. Thousands of dollars were raised and scholarships given in the memory of her son Ryan. Sherrie says “Paying it forward is more than a saying, it is a feeling.” It is about the rewards you feel inside knowing that you did the right thing.”

Congratulations, Sherrie. We are very proud of all that you do for the community and our local association.



Business Partner Spotlight-Rick Vallee

Name: [Rick Vallee](#)

Office: [Fidelity Bank](#)

City/Town: [Fitchburg](#)

email: rvallee@fidelitybankonline.com

Licensed since 1979

NCMAR Involvement :Government Affairs committee, Grievance Committee, Technology Committee, Board of Directors, BP Committee Chair, Realtor Day on the Hill, Dinner Meetings, Third Thursdays

Community Involvement: FTHB Class Instruction with the Twin City CDC, Massachusetts Area Rotary Club Past President and Fried Dough Chairperson

My favorite saying Why can't we all just get along!

A book I recommend: Who moved my Cheese

I owe my success to: My Parents

My best personal trait Ability to get along with others

When I am not working, I enjoy Rehabbing houses

My favorite getaway Loon Mountain

What profession were you in prior to beginning your current career ? Real Estate Broker, Investor



2015 Committee Chairs

Executive Committee
Bill Foss

Finance Committee
Locke Haman

Government Affairs Committee
Barry Cunningham

Member Services Committee
Susan Wright

Technology Committee
David Hyre

Community Involvement Committee
Denise Wortman

Communications Committee
Locke Haman

Grievance Committee
Gayle Sabol

Professional Standards Committee
Gary Bourque

Scholarship Trustees
Karen Shattuck

Top Producer Workgroup
Lana Kopsala

Awards & Recognition Workgroup
Tom Ruble

Young Professionals Network
Katie Weldon

MAR Directors
Tom Ruble
Bill Foss
Michelle Haggstrom

MAR Alternates
April Cover
Judith Murphy
Darlene Sodano

MLS PIN Directors
Rick Healey
Paula Savard

Welcome New REALTOR Members

In accordance with Article V Section 1 NCMAR By-Laws notice is hereby given to all REALTOR members of the intention of the named individuals to become members of the Association. If any REALTOR member desires to make objection or comment concerning the named individuals, such objection or comment must be made in writing to the President within 10 days of this notice.

Michael McLaughlin
LAER Realty Partners
63 Merriam Avenue
Leominster, MA 01453

Dianna Larrabee
Keller Williams Realty North Central
680 Mecahnice Street
Leominster, MA

Timothy Tenney
Exit New Options Real Estate
100 Erdman Way South, 2nd Floor
Leominster, MA 01453

Welcome New Business Partners

Paul Carlberg
GFA Federal Credit Union
229 Parker Street
Gardner, MA mpcarlberg@gfafcu.com
978-632-2542

A Few More Volunteers Needed

for the Concession Stand at the Annual Fundraiser to support the

Boys and Girls Club of Fitchburg and Leominster

Saturday, June 20th

Tom Ruble and Rick Cuddy are manning the grills, Pat Toth, Stephanie Pandiscio and Christina Sargent are helpers. Come and join in at the concession stand and make a difference in the lives of area youth!

Boys and Girls Club, 365 Lindell Ave Leominster. Call Locke Haman for details (978)-512-



2015-2016 Legislative Priorities

REALTOR Day on Beacon Hill

Support Land Use and Zoning Reforms: The H.O.M.E. bill

An Act improving housing opportunities and the Massachusetts economy

Due to the short supply of housing in Massachusetts, potential homeowners continue to face increasing housing costs. One of the many issues driving the reduced housing stock is the presence of barriers to production, many of which are found in current zoning laws. The Massachusetts Association of REALTORS® in conjunction with the Greater Boston Real Estate Board has filed legislation addressing these barriers. Several of the provisions include:

- Easing the production of cluster development housing;
- Allowing in-law apartments by right;
- Allowing multifamily housing construction by right;
- Simplifying the dimensional variance burden;
- Approving special permits by a majority vote.

Support Copper Pipe Theft Prevention

An Act regulating secondary metals dealing

Homes that have been robbed of plumbing and wiring are a community problem, hurting home values in neighborhoods in which thefts occur. The problem is widespread and cities and towns in the Commonwealth, as well as across the US, have become targets for metal thieves. Vacant houses are an increasing concern in many communities of the Commonwealth. Many fall into disrepair, attract crime, and create safety issues in neighborhoods. Further, the stripping of metal piping and other fixtures from the structure likely makes the home ineligible for conventional mortgage financing. MAR supports the regulation of the secondary metals dealing to dissuade thieves from stealing plumbing and wiring from homes.

Support Mortgage Forgiveness Debt Relief And Debt Cancellation

An Act relative to discharge of indebtedness of principal residence from gross income

The general tax rule that applies to debt forgiven is that the amount forgiven, sometimes referred to as phantom income, is treated as taxable income to the borrower. This bill would allow homeowners to complete loan modifications, short sales and foreclosures for which they have debt forgiven without making them liable to pay state taxes on the that debt. This bill would mirror the federal law, the Mortgage Debt Relief Act of 2007, to allow taxpayers to apply for this exclusion on their state tax return as well.

Support Rent Escrow

An Act relative to capital relief in a counterclaim

This legislation seeks to clarify the process that occurs when tenants allege violations of the state sanitary code and withhold rent. If passed, tenants would be required to deposit withheld rent in an escrow account while the dispute is adjudicated. The funds would only be released when the repairs are completed, the landlord and tenant reach an agreement, or a judge orders a fair settlement. MAR supports rent escrowing as an equitable solution to the problem of safely maintaining rental housing while also preserving a tenant's right to withhold rent for serious deficiencies.

Continued page 6



June 10, 2015

REALTOR Day on Beacon Hill

We will be visiting our local legislators to talk about real estate legislation such as supporting

- copper pipe theft prevention
- land use and zoning reform
- mortgage forgiveness debt relief and debt collection
- rent escrow

And opposing

- room occupancy taxes
- real estate transfer taxes.

We will meet with

- Representative Jennifer Benson
- Representative Stephen DiNatale
- Representative Kim Ferguson
- Representative Dennis Rosa
- Representative Jonathan Zlotnik
- Representative Susannah Whipp-Lee
- Senator Jennifer Flanagan
- Senator Anne Gobi.

REALTORS® are encouraged to attend this annual grassroots lobbying event to directly engage your state legislators about home ownership and private property rights.

Please register early so we have a good headcount. Bring a colleague.

All members that attend REALTOR Day on the Hill and contribute to RPAC will be invited to a special reception prior to the October Annual Business Meeting. Don't miss out!

Register today at www.ncmar.com

Event begins at 9 am with continental breakfast in the Hall of Flags.

The keynote speaker is Massachusetts Senate President Stanley Rosenber.

We then visit our legislators, stop for a bite to eat for lunch and return to Leominster around 2 -3pm.

2015-2016 Legislative Priorities

Oppose Local Imposition of Room Occupancy Tax

REALTORS® oppose bills imposing a room occupancy tax on short term vacation rentals. These proposals promote the creation of a new tax on all homeowners who choose to rent their homes for a short term, typically under 90 days. In addition to established businesses like hotels, motels and bed and breakfast establishments, these proposals would allow a city or town to levy a room occupancy tax on any apartment, single or multiple family housing, cottage, condominium or timeshare unit. Private homeowners would then be responsible for the collection, handling, and remittance of these taxes to the Department of Revenue.

Oppose Real Estate Transfer Taxes

REALTORS® strongly oppose real estate transfer taxes, which would authorize the creation of a new transfer tax on the sale of property in a municipality. The imposition of this type of new sales tax on homes could have serious implications for the Massachusetts economy and set the wrong precedent for the Commonwealth's tax policies. If allowed, Massachusetts communities facing budgetary deficiencies may seek transfer tax authority to solve local revenue problems. However, creating an "entrance or exit fee" to homeownership is the wrong way to solve this problem. Transfer taxes would increase the bottom-line price of many homes by thousands of dollars. These bills single out home buyers and sellers and subjecting them to this new tax only further exemplifies the inequitable nature of this taxing scheme.

AWARD RECIPIENTS



2014 Business Partner of the Year
Brian Cormier
Fidelity Bank



2014 REALTOR of the Year
Thomas Ruble
Tom Ruble Real Estate Services

MLS PIN offers **free, hands-on training classes** for our customers to learn the different levels of the Pinery system.

The screenshot shows the MLS PIN website interface. At the top, there is a navigation bar with the MLS logo and a login section for Pinery. Below the navigation bar, there is a main content area with a background image of a spiral notebook and a pen. A sticky note graphic says "Help desk info" with a "Click Here" link. The main heading is "SCHEDULE AND REGISTRATION". Below this, there is a "TRAINING CENTER" section with a table of courses.

Course	Site	Date & Start Time	
Getting Started: Searching the System	Northern Central Massachusetts Association of REALTORS®	06/11/2015 9:30 AM	Sign Up
Getting Started: Contact Management	Northern Central Massachusetts Association of REALTORS®	06/11/2015 1:00 PM	Sign Up

To register go to http://www.mlspin.com/schedule_registration.aspx. If you have problems registering online, please call our **Customer Service at (800) 695-3000, option 1**, to register by phone. Registration is required to reserve your seat in each class. We recommend doing so in advance as seating is limited. All classes are free of charge for MLS PIN customers.

When Dreaming Becomes Searching...

MLS PIN customers get added exposure to thousands of potential buyers and sellers with our new public-facing real estate website, **MLS PIN Homes**. Consumers can search for properties, open houses, Agents and offices – and the leads are provided absolutely free. It's one more way we're helping you turn dreamers into satisfied clients.

- **FREE** leads for your listings
- **Agent and office search**
- **Open house search**
- **Advanced map search**
- **Community profiles**
- **Accurate and reliable data**
- **Easy and convenient**



www.mlspinhomes.com



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Upcoming Networking Events

NCMAR Night Out

Connect and Engage at the

BLACKSHEEP TAVERN

Meet with your fellow NCMAR REALTORS and Business Partners in an inviting atmosphere for networking on the 3rd Thursday of each month for drinks and appetizers.

Thursday, June 18 5:30 pm to 8:30 pm

The Member Services Committee will offer a 50/50 cash raffle where you may purchase tickets for \$5 Half the funds raised from this raffle will be donated to a local charity.

Join your fellow NCMAR members for a fun night out with plenty of networking, good conversation and a enjoyable time for all attendees. Light appetizers are served.



Calendar of Events

June

- 8 June Awards Gala 5 pm Apple Hill
- 10 REALTOR Day on the Hill
- 10 Continuing Education Class 10-Noon at Fidelity Bank
- 11 MLS PIN Training 9:30 am and 1 pm at NCMAR
- 16 Finance Committee Meeting 10 am
- 16 Communications Comm Meeting 11 am
- 17 Continuing Education Class 6 to 8 pm at Fidelity Bank
- 17 Member Services Comm Meeting 9 am
- 18 NCMAR Night Out 5:30 pm
- 19 Community Involvement Comm Meeting 10 am
- 20 Boys and Girls Club Fundraiser
- 23 Board of Directors Meeting 9 am
- 23 Technology Comm Meeting 10:30am

North Central MA Associations of REALTORS® , Inc.
40 Summer St. Fitchburg MA 01420

Office Hours: Monday to Friday 8:30 am - 4:30 pm

NCMAR Staff

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(978) 345-2531

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kathylor@ncmar.com

Member Services Coordinator
(978) 345-2532

Justin Lore, ePro
justinlore@ncmar.com

Newsletter

Deadline for submission for the next issue is the last day of the month. For information on Business Partner advertising, contact the Association Office.

News & Views is available online at www.ncmar.com and every issue is emailed to our members. Print copies of the News & Views are available to members upon request. The subscription is included in the yearly local dues.