

President's Message

Hello Everyone,

"Can you believe July is here already?" I know this year has been anything but normal or predictable but we have rallied together to keep moving forward and stay safe.

I am happy to hear that the members who did get sick with COVID 19 have fully recovered. That is excellent news!! Looking ahead we see the slow opening up of more businesses, and services like day cares, spas, nail salons, and retail stores. Hopefully that trend keeps moving forward.

As for real estate, well we just seem to keep picking up speed. In my travels I have seen many different ways to conduct open houses, and even though I see different strategies all the agents seem to have everyone's safety at top of mind.

Heading into the summer months I think we will all remain very busy, and I am with everyone who wishes for more inventory to become available. That was something that was discussed with our legislators at this year's virtual Realtor Day on the Hill. I have to say I was very impressed that we had 5 of our local legislators join us (vs their aids or staff), several members of MAR leadership including our MAR President Kurt Thompson, and several NCMAR members participate.

We had some amazing conversation with the legislators regarding the issues we wanted to bring to their attention. They in return asked some very good questions and gave

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us some guidance as to what items we should really prioritize during these strange times.

A few examples of those items are continuing to oppose the additional transfer tax, mandatory energy audits for all homes prior to sale, and rent control. In addition we voiced our support of the Act to promote housing choices and the First time home buyers savings accounts. All good stuff.

In conclusion, I hope everyone has a safe and productive July and that we continue to see progress with the re-opening of the state. Stay safe and Happy 4th of July everyone!!

Kendra



Kendra Dickinson
2020 President



Justin Davidson, MAR General Counsel
Catherine Taylor, Associate Counsel
Jonathan Schreiber, Staff Attorney

The ongoing COVID-19 pandemic continues to disrupt real estate transactions and has raised many questions from our members. These are just a few of the many questions we know you have.

MAR is here to help you navigate through these uncertain times with the latest information and updates. Please watch for emails from MAR and check www.MARCOVID19.com for all the latest news. Let us know what other concerns you have and any problems you are seeing in the marketplace as a result of the pandemic. Most importantly, stay safe.

Q. What are the requirements for opening my office during reopening?

A. Although real estate was named an essential service by the Governor, many real estate brokers elected to close their physical offices. Now that many offices are considering reopening their brick and mortar locations. If you choose to open your brick and mortar workspace, you must, at a minimum, adhere to the following protocols:

- * No more than 25% of the maximum occupancy of the building or the typical occupancy. This allows for both workers and clients to be in the office so long as all protocols are met.
- * Social distancing of at least 6 feet between individuals.
- * Workers must wear face coverings when social distancing is not possible.



- * Designate assigned work areas and avoid sharing office materials.
- * Stagger work schedules, if possible.
- * Use enhanced hygiene protocols – frequent handwashing and daily cleaning of high-touch surfaces.
- * Establish a COVID-19 Prevention Plan describing how the workplace will prevent the spread of COVID-19.
- * Hang the required posters in a place that is visible to workers and visitors.
- * Keep a log of all persons who enter the building.
- * Display signs in the workplace describing the rules pertaining to social distancing, hygiene protocols, cleaning, and disinfecting.
- * The detailed safety standards from the state for office spaces can be found here. MAR has compiled all mandatory reopening materials here. Some cities and towns are also adding their own re-opening rules, so be certain to check with your local government before opening.

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Q. Can a buyer be denied a showing if they refuse to sign a health questionnaire or waiver?

A. Probably. Sellers may restrict access to the property based upon certain criteria, such as signing a health questionnaire, so long as that criteria is not discriminatory. A buyer's refusal to provide information may restrict their ability to view that property. If a buyer provides the requested information and indicates they have or might have COVID-19, it may implicate the Fair Housing Act.

While it remains a novel question whether having COVID-19 is a disability protected by the Fair Housing Act., the National Association of REALTORS® recommends treating individuals who have COVID-19 as being covered by federal disability protections. If you find yourself faced with this situation, discuss with the buyer or their REALTOR® whether a reasonable accommodation that can be implemented without posing a threat to the health and safety of others.

As with any analysis of a request for a reasonable accommodation, this determination must be based upon an individualized assessment of the situation and through an interactive process with the person seeking the accommodation. If any potential reasonable accommodation would threaten the health and safety risk to others, the broker may decline the showing to the infected individual.

Q. Is a listing agent able to hold offers to present to the seller at a later date?

A. Yes, but only if instructed by their seller to present all offers at a certain time. An agent may not unilaterally decide to hold all offers until a date certain or place any other limitations on the presentation of offers. If a seller has not instructed the agent to delay the presentation of offers, the agent must promptly present them as required by the Massachusetts Regulations and the REALTOR® Code of Ethics.

If an agent receives instructions from a seller modifying any REALTOR® obligations, they should memorialize the instructions in writing to assure clarity and reduce risk. It is important to remember that any decision to modify these obligations must be the seller's. Additionally, if the presentation of offers will be delayed, the agent should convey that information to prospective buyers, and must be followed.

If a buyer's agent has concerns that a listing agent failed to present an offer to the seller, REALTORS® can seek redress through a written request of the broker under authority of Article 1 of the REALTOR® Code of Ethics (See Standard of Practice 1-7). This request obligates the broker to provide written confirmation that the offer was submitted, or that the seller has waived that obligation. This does not obligate the seller to formally sign the "rejection" portion of an offer, but instead places the onus on the listing agent to confirm that they have complied with the law.

2020 Committee Chairs

Executive Committee

Kendra Dickinson

Finance Committee

Shauna Roberts

Government Affairs

Brian Cormier

Member Services/Event Planning

Kendra Dickinson/Darlene Rossi

Community Involvement

Brianna Kelley

Grievance

Gayle Sabol

Professional Standards

Gary Bourque

Scholarship

Pamela Bakaysa Conway

Awards & Recognition

Susan Wright

Top Producer

Laura Shifrin

Gail Lent

MAR Directors

Kendra Dickinson

Susan Wright

Alternates

Yasmin Loft

Darlene Rossi

MLS PIN Directors

Rick Healey

Paula Savard

Q. When is it permissible to contact another agent's client?

A. REALTORS® learn early on in their careers that contacting another REALTOR'S® client may be a violation of the Code of Ethics, as well as state law governing contracts. Article 16 of the Code of Ethics prohibits REALTORS® from engaging in any practice or taking any action that is inconsistent with another REALTOR'S® exclusive relationship with a client. The Code requires REALTORS® to make a reasonable effort to determine whether an individual is subject to a current exclusive agreement prior to entering into an exclusive agreement of their own.

This, however, is not without exceptions. The Code contains several carve outs permitting a REALTOR® to contact a represented individual:

- * General announcements, canvasses, or mailings to prospects describing available services and terms of availability.
- * Offering to provide, or entering into a contract to provide, a different type of real estate service unrelated to the type of service currently being provided.
- * Offering the same type of service for property not subject to other brokers' exclusive agreements.
- * To inquire as to the terms of the existing exclusive agreement if the other agent refuses to disclose the expiration date and/or the nature of the existing agreement.
- * The contact was initiated by the individual, the REALTOR® may discuss the terms of a future agreement or may enter into an agreement that becomes effective upon the expiration of the existing agreement.

Interfering with another agent's relationship with a client may also expose an agent to liability under a claim of interference with a business relationship. In order to obtain relief under this theory, the following elements must be satisfied:

- * There was a valid contractual relationship or a valid business expectancy.
- * There must be knowledge of the relationship or expectancy.

- * There must be intentional interference with the relationship or expectancy.

- * There must be damages.

If you find yourself in a situation where you are unable to successfully contact the REALTOR® on the other side of the transaction, and your situation does not fall within one of the enumerated exceptions, you should attempt to contact the broker.

Unfortunately, even if contacting the broker does not yield the desired result, you risk an ethics complaint, and possibly a contract interference complaint, if you attempt to contact a represented individual directly.

Q. When am I required to provide the Mandatory Real Estate Licensee-Consumer Relationship Disclosure if I am assisting someone virtually?

A. There have been no modifications to the requirements of providing the Mandatory Real Estate Licensee-Consumer Relationship Disclosure (Agency disclosure) as a result of the current COVID-19 pandemic. The Regulations require you to provide the agency disclosure at the first in person meeting to discuss a specific property.

There may be situations, particularly now, where you may be conducting a large portion of your business with clients virtually and acting in an agency capacity without having met the client in person. In these situations, provide the agency disclosure as soon as possible in the relationship, but no later than the signing of a contract to purchase.

Membership

July 2020

Welcome New Members!!

REALTOR Members

Provisional Members

<u>Name</u>	<u>Office</u>
David Bruno	Keller Williams Realty North Central
Laurie DeMalia	Lamacchia Realty
Larissa Girouard	Lamacchia Realty
Samuel Mazza	Keller Williams Realty North Central
Michael Misilo	Keller Williams Realty North Central
Amanda Oser	Keller Williams Realty North Central
Ronald Souza	Real Estate Exchange Inc.

Association Transfers

<u>Name</u>	<u>Transferred From</u>
Kathryn Elliott	GBAR
Susan Getz	GBAR
Carrie Plummer	Northeast

Rejoining

Heidi Beckner	Acres Away Realty
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Office to Office Transfer

<u>From</u>	<u>To</u>
Beverly D'Agostino	Exit New Options
Angela Godin	Exit New Options
Linda Marble Gurney	Exit New Options
Kelly Kurtz	Exit New Options
Tom Ruble	Exit New Options
Nichole Proctor	Lamacchia Realty
	Keller Williams NC
	Morrison Real Estate
	Keller Williams NC
	Keller Williams NC
	Keller Williams NC
	Keller Williams NC

NCMAR Leadership

President

Kendra Dickinson
Keller Williams Realty North Central

President Elect

Darlene Rossi
Morin Real Estate

Treasurer

Shauna Roberts
Hometown Bank

Secretary

Nicolas Pelletier
Keller Williams Realty North Central

Director

Laura Shifrin
Townsend Center Realty

Business Partner Director

Steven Kelley
Total Mortgage

Past President

Susan Wright
EXIT New Options Real Estate



NEW MEMBER ORIENTATION

REALTOR and Instructor Niles Busler via Zoom

- What is the REALTOR Code of Ethics ?
- How does the Code help me in my business?
- Why the Code so important to know?
- Can I be cited for a violation of the Code by the public?
- Is the Code of Ethics and all its articles relevant to today?
- Have questions of your own,? The class is interactive so ask the instructor anything.

Get the answers to these questions and many more at this mandatory training.



Thursday
July 16, 2020
9am to Noon
via Zoom

Register by emailing Katey
at membership@ncmar.com

May Membership Numbers

NEW REALTOR Members: 11

RESIGNATIONS: 0

OFFICE TRANSFERS: 6

NEW BUSINESS PARTNERS: 0

REALTORS as of 5/30 - 504

BUSINESS PARTNERS as of 5/30 - 73

April Membership Numbers

NEW REALTOR Members: 4

RESIGNATIONS: 1

OFFICE TRANSFERS: 1

NEW BUSINESS PARTNERS: 1

REALTORS as of 4/30 - 473

BUSINESS PARTNERS as of 4/30 - 89

“It’s a Jungle Out There”

July 2020



On June 8th, the NCMAR office was transformed into a lavish green oasis with a huge T-Rex. The fun and entertaining theme for this year was “It’s a Jungle Out There!”. President Kendra Dickinson was our safari leader and announced our award recipients. Baby T-Rexes assisted in handing the winners envelopes to Kendra so the names could be read. The following were recognized for their dedication and service to the REALTOR organization and the communities we serve. #

REALTOR of The Year

Kendra Dickinson

The REALTOR® of the Year is awarded to a member of NCMAR who exemplifies the performance standards set by our Code of Ethics, is heavily involved in local, state and national association activities, and is committed to community and business affairs.

Kendra attends NCMAR events like the NCMAR Nights Out, Lunch and Learns, Membership Meetings, Bowling Scholarship Fundraiser, Meat Raffle Fundraiser, Legislative Breakfasts, Broker Breakfasts and Business Partner Expo. A member of the Honor Society, our REALTOR of the Year currently serves on the Professional Standards, Community Involvement, Scholarship, Government Affairs, and Finance Committees. She also serves a co-chair of the Events/Member Services Committee. She is currently a member of the Board of Directors, serving as President.

At the state level her participation includes being a member of the MAR Board of Directors and Government Affairs Committee. She attends REALTOR Day on the Hill, Central Region Caucuses, MAR Board of Directors meetings, Leadership Symposium, and MAR media training and convention. At the National level she attended the NAR Conferences, Leadership Summit and Legislative Meetings in 2019.

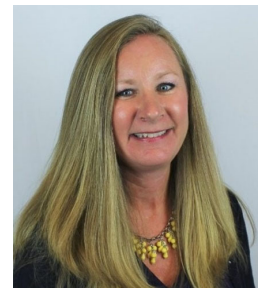
In her spare time, she sponsors a local 4H club, two little league teams, Lancaster’s haunted shed for Halloween, Clinton Olde Home Days and Clear Path for Veterans and their dogs to vets program.



Business Partner of the Year

Shauna Roberts of Hometown Bank

Each year NCMAR recognizes a Business Partner for their outstanding service and contribution to both the Association and to the real estate profession as a whole. Since 1990, the Business Partner of the Year is the member that exemplifies the spirit and ideals of the REALTOR® organization.



Shauna is an active Business Partner of NCMAR for several years, serving on numerous committees, attending many membership events and plays a role in orchestrating many activities. She attends REALTOR Day on the Hill in Boston, and our Mayor meetings.

She serves on the Community Involvement, Events and Finance committees. She participates in the Adopt a Family program, Business Partner Expo, Fall Family Funfest, Meat Raffle Cancer Fundraiser, Bowling for Bucks Scholarship Fundraiser, Parking Lot painting, Lunch & Learns and NCMAR Nights Out. She also serves on the Board of Directors as our Treasurer. #

In the community, she was the captain of the NCMAR Relay for Life team, participated in the United Way Day of Caring, Habitat for Humanity Women’s Build, Boys and Girls Club 5K, and Intercultural Competency Training Course,.



Award Recipients

July 2020

Sales Associates of the Year

Our Sales Associates of the Year Awards are voted by their peers to recognize those members that are ethical, enthusiastic, accessible, and exhibit best business practices.

This year's Sales Associates of the Year are:

Gail Lent of Paula K. Aberman & Associates
Lana Kopsala of Coldwell Banker Residential Brokerage
Susan Wright of EXIT New Options Real Estate

Honor Society

The primary purpose of the Honor Society program is to encourage both new and seasoned members to participate in the association's activities. Members are given points for participating in association activities, committee involvement, educational accomplishments, and community service projects.

Business Partner Honor Society

Brieanna Kelley, Sarah Mayer, Sphia Bell and Steven Kelley of Total Mortgage
Craig Reynolds of Reynolds Law Offices
David Rocheford, Lisa Thomann and Nik Thalheimer of The Law Office of David Rocheford
Peg Padovano and Rick Vallee of Fidelity Bank and Shauna Roberts of Hometown Bank

REALTOR Honor Society

Pam Conway of Coldwell Banker Residential Brokerage
Denise Wortman, and Susan Wright of EXIT New Options Real Estate
Rick Cuddy, Stephanie Pandiscio, Christina Sargent, and Patricia Toth of Foster-Healey Real Estate
Linda Lee and Jean Rubin of Hometown, REALTORS
Kendra Dickinson, Michelle Haggstrom, Bev D'Agostino, Tom Ruble, Nick Pelletier, Gayle Sabol and Kurt Thompson of Keller Williams Realty North Central
Brenda Albert of Laer Realty
Gerry Bourgeois, Brooke Ratcliffe and Karen Shattuck of Lamacchia Realty
Darlene Rossi of Morin Real Estate
Gail Lent, Yasmin Loft, and Paula Savard of Paula K. Aberman and Associates
Laura Shifrin of Townsend Center Realty

Good Neighbors

Our Good Neighbor Awards recognize the ongoing efforts of individual REALTORS making exceptional contributions to improve the quality of life in their communities. The North Central Massachusetts Association of REALTORS is proud of the many members who contribute their time and talents to area charities.

Michelle Haggstrom of Keller Williams Realty North Central recognized for her countless hours and contributions to the United Way, North Central Chamber of Commerce, Boys and Girls Club of Fitchburg & Leominster and Shirley Council on Aging.

Jean Rubin of Hometown, REALTORS recognized for her outstanding efforts on behalf of Habitat for Humanity North Central and the North Quabbin Chamber of Commerce .

Several other members are Good Neighbors in their communities and deserve an honorable mention and recognition.

Rich Rawson of Rawson & Sons Insurance Group
Angela Godin of Morrison Real Estate
Yasmin Loft of Paula Aberman & Associates
Liza Hurlbert Melo of Four Columns Realty
Kelle O'Keefe and Carla Mary of Keller Williams Realty NC
Brieanna Kelley of Total Mortgage
Dan Reiser of Keller Williams Realty North Central
Karin Anderson of Results Realty

Community Scholarship Award Recipients

Meggan is a 2020 graduate of Montachusett Vocational Technical High School and plans to attend Framingham State University to study tourism and hotel management.

Kylee is a 2020 graduate of The Winchendon School and plans on attending college at Bentley University to study Marketing.

Willard Ide Shattuck, Jr. Memorial Scholarship Recipient

Maureen D'Agostino is the niece of REALTOR Beverly D'Agostino. Maureen will be attending Keene State College to study art and education.

Rocheford Law Office Supplemental Scholarship Recipient

Emma Hughes is the daughter of REALTOR Margaret Hughes and granddaughter of REALTOR Janis Montalbano. Emma is a 2020 graduate of Narragansett High School and plans to attend Harvard to study government.

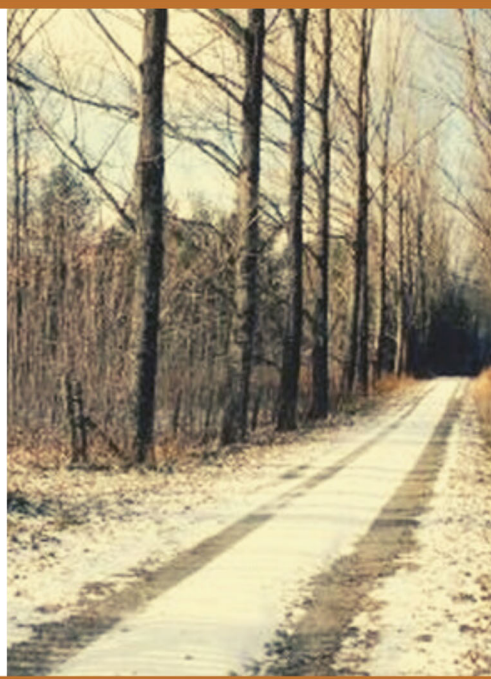
LUNCH AND LEARN VIA ZOOM

TUESDAY, JULY 21, 2020
NOON TO 1 PM

EASEMENTS

- What is the difference between an easement and a right of way?
- Who is responsible for maintenance and upkeep?
- Who pays the property taxes on an easement?
- How does an easement effect property value?
- Are future owners bound by an easement?

*Learn the answers and more from
Attorney Nik Thalheimer*



Signing up and activating your Zoom account

Joining an existing account

If you are being invited to an existing account, you will receive an email from Zoom (no-reply@zoom.us). Once you receive this email, click **Activate Your Zoom Account**.

Creating your own account

To sign up for your own free account, visit zoom.us/signup and enter your email address. You will receive an email from Zoom (no-reply@zoom.us). In this email, click **Activate Account**.

Signing in to your Zoom account on the web

You can login to your Zoom account on the web at any time, at zoom.us/signin. Once you're logged in, use the panel on the left side to navigate the Zoom web portal. You can update your profile, schedule a meeting, edit your settings, and more.

Joining with your cell phone

Though not as interactive, you can join in a Zoom meeting like the Lunch and Learn or Committee meeting using your smartphone.

NOTE: Continuing education classes can not be joined by phone. The attendee must be logged on to Zoom to receive the CE credit and certificate.



NOTICE: This in person event may need to be postponed if the COVID 19 infection rate increases and the Governor gives us different guidelines in August.

We look forward to seeing many of you at this beautiful venue and fun event.

CALENDAR

CONTINUING EDUCATION CLASSES IN JULY

WHAT IS A FACILITATOR?



CONTINUING EDUCATION CLASS RE51R06
WEDNESDAY, JULY 15, 2020 10 AM TO NOON
Instructor Paula Savard via Zoom

Wednesday, June 24th
9:30 am—10:30 am
Board of Directors Meeting
Zoom Meeting

Friday, July 3rd
Observance of Independence Day


Wednesday, July 15th
10 am— Noon
Facilitator
Continuing Education Class
Zoom Meeting

Thursday, July 16th
9:00 am—Noon
New Member Orientation
Zoom Meeting

Tuesday, July 21st
Noon to 1 pm
Lunch and Learn
Easements and Right of Way
Zoom Meeting

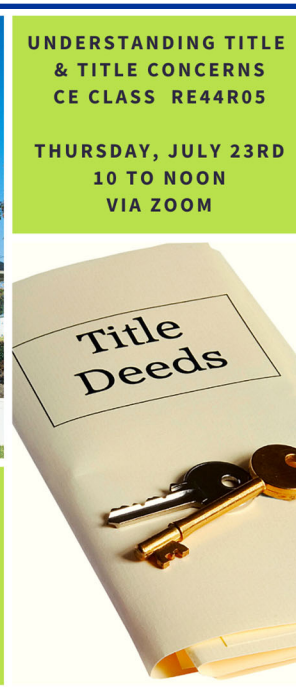
Wednesday, July 22nd
9:30 am—10:30 am
Board of Directors Meeting
Zoom Meeting

Wednesday, July 23rd
10 am— Noon
Understanding Title & Title Concerns
Continuing Education Class
Zoom Meeting



**UNDERSTANDING TITLE
& TITLE CONCERNS
CE CLASS RE44R05**

**THURSDAY, JULY 23RD
10 TO NOON
VIA ZOOM**



This course provides a comprehensive overview of titles and title concerns. Taught by Attorney Craig Reynolds. You will learn:

- *What are the types of titles? *What is a "cloud on title"?
- *What are the types of "clouds"? *What is title insurance?
- *What are remedies to title issues?

Register at www.ncmar.com

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