

President's Message

Hello Everyone,

I hope everybody had a wonderful Labor Day weekend. We were blessed with beautiful weather. I can't believe Summer's practically over and the kids are getting ready to go back to school.

There are a lot of parents out there some of which will be our clients that are really struggling if their school is going fully remote. Not everybody is cut out to be a teacher, goodness knows I am not. Please keep this in mind as we move into the fall market and see limited showing availability for some properties. These parents are trying to wear many hats they're not used to so they may not be able to open up their home at our every request.

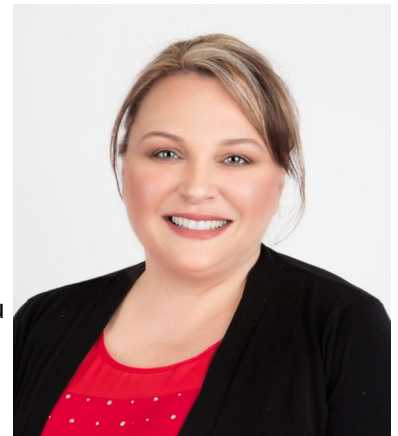
We are all still adapting to this new normal. I miss everybody as much as I'm sure everybody misses our networking events and seeing people in person. If you do choose to get together, which is okay, please just be safe.

Mark your calendars! We will be doing our October Annual Meeting via Zoom on October 5th at 1 pm. We will introduce the 2021 slate of officers and go over our new business.

If anybody is interested in our Director at Large position please reach out to Kathy.

In conclusion I hope everybody enjoys welcoming fall. Before you know it we will be putting out Halloween decorations, then Thanksgiving, then the December Holiday Season.

2020 is marching right along. Stay safe everybody and may all of your businesses have great success as we move into fall.



Kendra Dickinson
2020 President

Premiere Sponsor



Notice of October Annual Meeting

September 2020

September 4th, 2020 sentt via email

To: NCMAR REALTOR and Business Partner Members

Re: October Annual Business Meeting, October 5th, 2020 at 1 pm via Zoom

This notice is to inform all members of the date of the October Annual Business Meeting, which is scheduled for Monday, October 5th at 1 pm via Zoom.

The agenda for the meeting will include the ratification of the 2021 slate of officers and directors and by law amendment.

The slate of officers for 2021:

President—Darlene Rossi, Morin Real Estate

President elect—Nicholas Pelletier, Keller Williams Realty North Central

Treasurer—Shauna Roberts, Hometown Bank

Secretary— Jean Rubin, Hometown, REALTORS

Immediate Past President— Kendra Dickinson, Keller Williams Realty North Central

Additional candidates for the offices to be filled with the exception of the office of President, may be placed in nomination by petition signed by at least ten percent (10%) of the REALTOR® members. The petition shall be filed with the Executive Officer at least two weeks before the election, (9/18/2020) The Executive Officer shall send notice of such additional nominations to all REALTOR® members before the election.

The position of REALTOR Director is OPEN. No candidates have come forward. Interested parties can contact Kathy Lore at kathylore@ncmar.com

The Business Partner director Steven Kelley of Total Mortgage completed his term at the end of 2021.

By Law Motion:

NCMAR By Law, Article IV (e) Honorary Members. Honorary members shall be former REALTORS **or Business Partner members** of the Association who have retired, have been members of the Association for 20 years and have given outstanding service to the Association. They may be designated as honorary members by the Board of Directors upon nomination by a fellow ~~REALTOR~~ **NCMAR** member. Other ~~REALTOR~~ **NCMAR** members may be considered for honorary membership by reason of disability or special service.

(Red lettering is additional verbiage and strikethroughs will be removed)

Approved by the Board of Directors allowing our business partner members also to receive honorary member status per the above described guidelines.

October Annual Meeting via Zoom

October 5th beginning at 1:00 pm

Join Zoom Meeting

<https://us02web.zoom.us/j/83835754718?pwd=bGxGeW9ERGc5Z3FhMTVvcXVxVVZMUT09>

Meeting ID: 838 3575 4718

Passcode: NCMAR

One tap mobile

+16465588656,,83835754718#,,,,,0#,,126053#

Dial by your location

+1 646 558 8656 US (New York)

Meeting ID: 838 3575 4718

Passcode: 126053

Find your local number: <https://us02web.zoom.us/u/kepMJTjplK>





You're Invited to the
North Central MA Association of REALTORS
OCTOBER ANNUAL MEETING
Monday, October 5th, 2020
1 pm networking and program via Zoom
Ratification of Officers
Special Recognition
By Law Amendment



ncmar needs you

**Help us be the association our
members need and want,
guide conversation and make
decisions**

The seat for REALTOR director is vacant.
Would you consider serving on the Board of
Directors in 2021 and 2022?

**If you are interested or would like
more information please contact
Kathy Lore at
kathylore@ncmar.com**

There is an empty chair at the table. Join us.

Justin Davidson, MAR General Counsel

Catherine Taylor, Associate Counsel

Jonathan Schreiber, Staff Attorney

Q. Is the agent who first showed the property to the buyer entitled to compensation?

A. Maybe. For transactions involving properties listed in the MLS, the agent who is the procuring cause is entitled to compensation once the transaction has closed. A broker is regarded as the procuring cause if it was his or her efforts that laid the foundation on which negotiations resulting in the sale began. The broker's efforts cannot be interrupted by a break in continuity.

Determining procuring cause requires a nuanced analysis of several factors and must be determined on a case-by-case basis. No one factor alone is determinative.

Furthermore, there is no "threshold rule" that dictates that the agent who first showed the property is the procuring cause.

Disputes related to procuring cause that brokers are unable to resolve themselves must be submitted to REALTOR® sponsored arbitration. Procuring cause disputes submitted to arbitration will be resolved by a panel of REALTOR® members who will consider some of the following questions:

- Were any agency disclosures made? When?
- Was there any buyer representation agreement?
Was it an exclusive agreement?
- How was the first introduction to the property made?

The information and services provided through the Massachusetts Association of REALTORS® is intended for informational purposes and does not constitute legal advice, nor does it establish an attorney-client relationship. The Massachusetts Association of REALTORS®, by providing this service, assumes no actual or implied responsibility for any improper use of responses to questions through this service. The Massachusetts Association of REALTORS® will not be legally responsible for any potential misrepresentations or errors made by providing this service. For more information regarding these topics authorized callers should contact the MAR legal hotline at 800-370-5342 or e-mail at legalhotline@marealtor.com.



- When was the first introduction to the property made?
- What subsequent efforts were made by the broker/agent?
- Was contact with the buyer maintained by the original broker/agent?
- Did the original introduction of the buyer to the property start an uninterrupted series of events leading to the sale?
- Were there any interruptions?
- Did the buyer terminate the relationship with the agent? Why?
- Was there interference in the relationship?
- Did the buyer seek to freeze out the buyer agent?
- Did the seller act in bad faith to deprive the agent of the commission?

The full Arbitration Worksheet from NAR can be found [here](#).

REALTORS® must always remember to never let a compensation dispute interfere with the transaction. Disrupting an otherwise successful transaction with a commission dispute may lead to both an ethics complaint and a licensing complaint.

Notes from the MAR Legal Hotline

September 2020

Q. My seller has received multiple offers on their home, and one has an escalation clause – how does that work?

A. Escalation clauses are sometimes used by buyers to make their offer more appealing to the seller, especially in a competitive market. An escalation clause is a provision that is added to a buyer's offer that allows the offer price to increase by specified increments if there is a competing offer. Escalation clauses can be helpful in multiple offer situations, but prior to using one a buyer should be carefully counseled on the pros and cons.

As a REALTOR®, it is critical to understand the components of an escalation clause regardless of whether you are representing a buyer or a seller. The components include the original offer, the amount by which the buyer is willing to escalate his or her offer, the total amount that the buyer is willing to offer (the “cap”), and information about how the buyer will cover the cost differential in the escalated offer. To trigger the escalation clause, the seller must have received a higher bona fide offer from a competing buyer. A bona fide offer is an offer that is made in good faith and is legitimate and enforceable. At the buyer's request, the seller must provide documentation to the buyer of the other offer.

A seller may refuse to accept an offer that contains an escalation clause and may instead counteroffer, asking the buyer for their “highest and best.” A buyer should also be aware that using an escalation clause reveals more information to a seller than a traditional offer. The seller will know the buyer's “cap” and may use that information to their advantage in negotiations.

The MAR Escalation Form (#520), requires a seller who accepts the buyer's offer as escalated to deliver a signed copy of the Offer to Purchase with the purchase price modified to the escalated amount within 48-hours. The buyer would then sign the counteroffer. Once accepted, the parties have a binding contract and the escalation provisions terminate.

REALTORS® and buyer clients using an escalation clause should work closely with an attorney to ensure proper understanding and use of the escalation clause.

2020 Committee Chairs

Executive Committee

Kendra Dickinson

Finance Committee

Shauna Roberts

Government Affairs

Vacant

Member Services/Event Planning

Kendra Dickinson/Darlene Rossi

Community Involvement

Brianna Kelley/Sophia Bell

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

Welcome New Members!!

REALTORS

Ashlei Paradis of Kelelr Williams Realty North Central

Anthony Cooper of EXIT New Options Real Estate

Suzanne Caron of Caron Real Estate

Diane Adams of Adams Construction and Realty

BUSINESS PARTNER

Robert Charland of The Exchange Authority

July Membership Numbers

NEW MEMBERS 1

REINSTATEMENTS 3

SECONDARY BROKER - 0

RESIGNATIONS: 2

OFFICE TRANSFERS: 4

NEW BUSINESS PARTNERS: 1

REALTORS as of 6/30 - 506

BUSINESS PARTNERS as of 6/30 - 73

REALTORS as of 7/31- 509

BUSINESS PARTNERS as of 6/30 - 74



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
September 24, 2020
9am to 12:30 pm
via Zoom

Register by emailing Katey
at membership@ncmar.com



COMMITMENT TO EXCELLENCE (C2EX)

Be an advocate for the future of our industry. Be committed to excellence.

REALTORS® defined professionalism in this industry more than 100 years ago

when they created the Code of Ethics. The award-winning C2EX program takes professionalism to the next level by enabling NAR members to assess their expertise in 10 (11 for brokers) elements of professionalism ranging from customer service to use of technology.

This innovative engagement tool encourages participation in all levels of the REALTOR® organization. It's not a designation or a course. It's not a requirement, but a benefit available to all NAR members at no additional cost.

To get started, log in to www.C2EX.realtor and take the self-assessment that measures your proficiency in each of the elements of professionalism, known as the C2EX Competencies. Based on your results, the platform will generate customized learning paths, recommend experiences, and provide tools and resources to increase your knowledge and enhance your skillsets.

Start your journey to excellence today at <https://www.c2ex.realtor>

MAR Advisory Concerning Website Accessibility Claims

An out-of-state firm calling itself the Portell Law Group has been sending Massachusetts real estate brokers and agents demand letters and draft federal complaints alleging that the brokers and/or agents are violating the Fair Housing Act by operating websites that the visually impaired cannot fully access. The letters demand that the real estate professionals settle by making the websites fully accessible to the visually impaired and paying an unspecified amount in attorneys' fees and expenses to the law firm that is sending the letters. Any REALTORS® who have received such a demand letter are advised to promptly consult with their own counsel in order to determine how to respond. REALTORS® should also contact their errors and omissions insurance provider and website vendor. Those who have not received the letter should consider reviewing their websites' accessibility to minimize the likelihood of future problems.

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.

Important Renewal Information for all Licensees

The Executive Orders given by Governor Baker covered all trades, professions, and businesses licensed by Division of Professional Licensure ("DPL") boards of registration, as well as those licenses issued by the Agency's Office of Public Safety and Inspections ("OPSI").

However, on June 26, 2020, Governor Baker issued COVID-19 Executive Order No. 41, rescinding the prior orders as of July 10, 2020. **As a result, all licensees (individuals or businesses) who's licensed were expiring and were scheduled to renew between March 10, 2020 and July 10, 2020, will now have an expiration date of October 1, 2020, and must renew before that date.**

Any license that is scheduled to expire on or after July 11, 2020 must be renewed on or before its originally scheduled expiration date.

Check your license and make sure you have renewed prior to your expiration date.

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



BROKER MEETING
September 15th at 3:30 pm
via Zoom
Guest speaker MAR President
Kurt Thompson
Topics include MAR update, market trends, legislative update, website compliance and much more
Sponsored by Fidelity Bank



MLS PIN'S **NEW BRAND** WILL BE **AUTHENTICALLY LOCAL**

NEW **BRAND**, NEW **LOGO**,
NEW **MLSPIN.COM** WEBSITE COMING SOON!



CUSTOMER SUPPORT EVENINGS & WEEKENDS | 800-695-3000 | www.mlspin.com

SEPTEMBER IS REALTOR SAFETY MONTH

REALTOR SAFETY REPORT



23% OF REALTORS

experienced a situation that made them fear for their personal safety or safety of their personal information.



5% OF REALTORS

said they had been a victim of a crime while working as a real estate professional.



31% OF REALTORS

felt unsafe during an open house.



58% OF REALTORS

use a smartphone safety app to track whereabouts and alert colleagues or family in case of an emergency



38% OF REALTORS

have participated in a self defense class



49% OF REALTORS

choose to carry self defense weapons.



46% OF MEN AND 50% OF WOMEN REALTORS

carry a self defense tool including a club, knife, gun, taser, pepper spray



NAR strongly encourages brokerages and members to keep safety at the forefront of their minds every day.

FOR MORE SAFETY INFORMATION

Go to <http://www.nar.realtor/safety>



NCMAR REALTOR Membership Renewal Invoices are available online at www.ncmar.com
Login in and pay before 12/31/2020 and save \$25.

Local dues amount has not changed since 2016.

Payment plans are available.
Email membership@ncmar.com for details.

Virtual



GREEN Designation

Through the four-course experience, you'll learn the best approaches to:

-  **Make a home more resource-efficient**
-  **Connect clients with green DIY resources**
-  **Use smart home technologies**
-  **Retrofit and replace systems**
-  **Advise clients through effective remodels**
-  **Build green from the ground up**

September 29-30

&

October 6-7

9:00 am-12:30 pm

\$250 per person

Use code GREEN2020NC
at registration for \$25 off!

Learn more and register at
[https://northeastrealtors.com/
eventcalendar](https://northeastrealtors.com/eventcalendar)

You will earn 8 MA CE Credits:

RE59R09: Smart Growth /Smart Energy
RE86R14: High Performance Green Homes in Residential Real Estate
RE63RC10: Environmental Issues
RE105R18: Selling the Sun



CALENDAR

Monday, September 7th
Labor Day

Tuesday, September 15th
10 am —11:30 am
MAR Awards Presentation via Zoom

Tuesday, September 15th
3:30 pm—4:30 pm
Brokers Meeting via Zoom

Wednesday, September 16th
10 am— noon
Chapter 93A CE Class via Zoom

Wednesday, September 23rd
9:30 am—10:30 am
Board of Directors Meeting
Via Zoom

Tuesday, September 29th
Noon—1 pm
Lunch and Learn
Freddie Mac & Masshousing
Via Zoom

Tuesday, September 29th
Wednesday, September 30th
Tuesday October 6th
Wednesday, October 7th
9 am-12:30
Green Designation Course
Via Zoom

Monday, October 5th
1 pm—2pm
Annual Business Meeting
Via Zoom

NCMAR Continuing Education Class

RE04RC12
MGL Chapter 93A
Consumer Protection &
Business Regulation

SEPTEMBER 16TH AT 10 AM VIA ZOOM

This class will cover the following:

Who is exempt from 93A?

What is the purpose of 93A?

What are the 21 instances of illegal practices that fall under 93A?

What is an affirmative disclosure?

What are "non-material defects" in MA?

What does Meghan's Law have to do with 93A?

Can you violate 93A in your advertising?

Who enforces 93 A and what are the penalties for violation?

Register at www.ncmar.com

This class is free to all NCMAR members.



TUESDAY, SEPTEMBER 29TH, 12:00 - 1:00PM

NCMAR LUNCH & LEARN

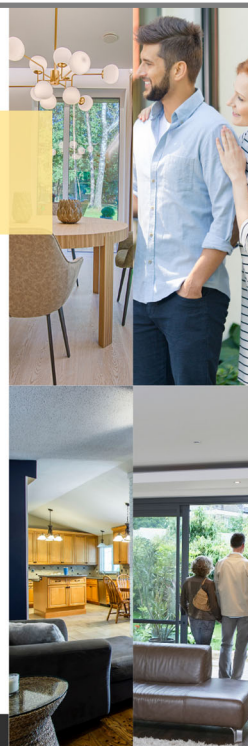
FREDDIE MAC & MASS HOUSING ZOOM

What you will learn:

- Background of Freddie Mac and role in the mortgage process
- Outline of the mortgage ecosystem that makes up the journey to homeownership
- Current market data trends that can help identify business growth opportunities for agents
- Tools to help agents grow their business helping first time homebuyers
- Resources that can help future homebuyers become mortgage ready through financial literacy courses such as our Credit Smart course and Homebuyer U course.



REGISTER AT WWW.NCMAR.COM



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