

## President's Message



*President Darlene Rossi*

Greetings!

I hope this finds you all well and having spent the holidays in special and meaningful ways. My name is Darlene Rossi and as NCMAR President for 2021. I am excited to be serving in this capacity and I look forward to getting to know you all better through it.

My husband of 35 years and I moved out to Winchendon from Arlington, MA 21 years ago. We homeschooled our 4 children and we now have 2 grandchildren.

I got my real estate license in 2010 and started with the wonderful team at Keller Williams North Central. In 2013 I was excited to join Morin Real Estate in my hometown and took ownership of the company in 2017. When I first started, Mark Kavanagh encouraged me to serve on a NCMAR committee. I joined the Top Produce committee and had a lot of fun and got to work with some of the top agents in our area.

At Morin Real Estate, Rick Morin encouraged the Graduate Realtor Institute program. I completed that in a couple of years and found it very beneficial. I recently completed the Certified Residential Specialist course of study too. I noticed that the agents whose work ethic and professionalism I most respected had this designation. So whether you are just beginning or have been around a

Premiere Sponsor



while, I invite you to take advantage of the opportunities within the organization to meet great people, develop your skill set and make significant contributions to our Board and communities.

To that end, we will be introducing you to some of our Board Members and Committee Chairpersons in the newsletter. In this issue, you can read about Nicholas Pelletier serving as President elect. We will also be acquainting you with some of our amazing business partners. There are many areas of expertise required in each transaction and thankfully we have a list of qualified professionals to turn to.

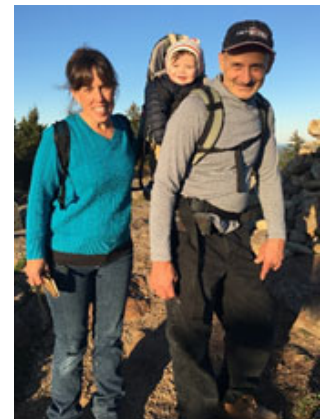
2020 was an interesting year. I'm sure that 2021 will have its challenges too, along with opportunities. Kendra and Kurt did an amazing job navigating us through the ever changing landscape that was 2020 and I'm sure that together we will learn and grow our way through 2021.

And finally, in my column each month I am going to have a Realtor Code of Ethics scavenger hunt. I will provide a clue and the first person to get back to me with the correct answer via email will win a \$10 Dunkin Donuts gift card. For this month, send me the full content of Standard of Practice 12-10 to

[darlenerossi@morinrealestate.com](mailto:darlenerossi@morinrealestate.com) Go!

The Board is here to help, so please don't hesitate to reach out if there is anything we can do to assist you with your real estate goals. It's Who We R. Thank you and until next time, Be Kind and Be Real.

*Darlene*



**Justin Davidson, MAR General Counsel**

**Catherine Taylor, Associate Counsel**

**Jonathan Schreiber, Staff Attorney**

**Q. I am trying to downsize my filing cabinets – what records am I required to maintain?**

A. Many of the “core documents” to a real estate transaction have retention requirements codified in regulations:

Agency Disclosure: 254 CMR 3.00 requires brokers to retain the Massachusetts Mandatory Licensee-Consumer Relationship Disclosure, as well as Consent to Dual Agency Disclosures and Designated Agency Disclosures for a period of three (3) years from the date of the notice.

Escrow records: 254 CMR 3.10(b) requires brokers to maintain records of all funds held in their escrow accounts. Such records should include the date the money was received, the source of the funds, the date the funds were deposited, check number, the date of withdrawal, and “other pertinent information concerning the transaction ... and to whom the money belongs.” Copies of checks deposited into and withdrawn from the escrow account should be maintained for three (3) years from the date of issuance.

Lead Paint: 24 CFR § 35.175 requires brokers to retain the Lead Paint Form for three (3) years. HUD recommends maintaining lead paint notification and disclosure forms, as well as inspection, remediation and, maintenance records indefinitely due to the liability associated with lead paint.

**Rental**

Documents:

254 CMR 7.00

(2) requires the following items to be retained for a

period of three (3) years: the Tenant Fee Disclosure, from the date on which the notice was provided; “all rental listings and written documents that demonstrate the availability of an apartment at the time it is advertised for rental” from the date on which the apartment was rented; and “a copy of any check, money order and written cash receipt for any fees, deposits or payments made by a prospective tenant or actual tenant” from the date of issuance.

Regardless of the specific retention requirements noted above, it is a good idea to keep all transaction documents for seven (7) years. This includes, but is not limited to: listing agreements, buyer representation agreements, purchase contracts, and communications with the client(s) and other broker(s). The statute of limitations for most contract actions is six (6) years, so it is important to retain documents for at least this long to protect your interests in any potential lawsuit. Certain documents, such as corporate records, partnership agreements, audit reports, general ledgers, tax returns and deeds should be kept permanently. In most cases, it is acceptable to store these documents electronically, as long as you are safely and securely backing up all of your data. Brokerages should work with an attorney and/or accountant to develop and maintain a record retention policy for their office(s).



*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](mailto:legalhotline@marealtor.com).*

## **Q. Is requiring a full year's worth of rent legal?**

A. No, prepaid rent is a violation of the Massachusetts security deposit statute, Massachusetts General Laws Chapter 186, Section 15B. The statute prohibits a lessor from requiring a tenant to pay any amount in excess of:

First month's rent;

Last month's rent at the same rate as first month's rent;

Security deposit equal to first month's rent; and

The cost to change the lock and key.

While the question often arises in the context of a prospective tenant offering to pay rent in advance, these situations would likely still be a violation of the statute. Generally, a prospective tenant may feel the need to make such an offer to a lessor in order to secure a property they would not otherwise be approved for. Although the landlord may not be making the request for pre-paid rent, the end result is the same.

To stay within the parameters of the law, Massachusetts landlords should never accept rent in advance, regardless of whether the tenant offers, or the landlord demands it.

## **NCMAR Leadership**

### **President**

Darlene Rossi  
Morin Real Estate

### **President Elect**

Nicolas Pelletier  
Keller Williams Realty North Central

### **Treasurer**

Shauna Roberts  
Hometown Bank

### **Secretary**

Jean Rubin  
Hometown REALTORS

### **Director**

Irene Hayes  
Exit New Options Real Estate

### **Business Partner Director**

Steven Kelley  
Total Mortgage

### **Past President**

Kendra Dickinson  
Keller Williams Realty North Central

## **Board of Directors December Minutes**

Members in attendance: Kendra Dickinson, President; Darlene Rossi, President elect; Shauna Roberts, Treasurer; Susan Wright, Past President ; Laura Shifrin, Director at Large; Steve Kelley, Business Partner Director and Kathy Lore, Executive Officer (ex-officio) Guests Jean Rubin and Irene Hayes

Excused: Nick Pelletier, Secretary

Call to Order at 9:33 am

MOTION: It is moved, seconded and carried to approve the November BOD Minutes.

MOTION: It was moved, seconded and carried to approve the November Membership Report as presented.

MOTION: It was moved, seconded and carried to approve the November Financials subject to review.

Laura Shifrin gave an update on the MAR Forms Committee and changes proposed to the forms.

Darlene Rossi gave an update on the new changes to the Code of Ethics concerning hate speech.

The Community Involvement Committee minutes were reviewed.

The Association Executive gave an update on the office building and upcoming events.

Next BOD Meeting: January 20th at 9:30 am.

The meeting adjourned at 10:33 am

### Meet Your Board Member—Nicholas Pelletier

2021 NCMAR President elect

Real estate and property investment has always been a passion of mine. After leaving the biomedical engineering field, I decided it was time to start a full time career in real estate. I have been a licensed agent since 2012. During that time, I have grown my business from being a part time agent to running a team, Pelletier Properties at Keller Williams Realty North Central that includes 6 agents (Joshua Mello-Lead Buyers Agent, Dan Reiser-Listing Agent, Ken Ferris-Buyers Agent, Kelley Niemi-Buyers Agent, Chris Niemi- Buyers Agent and administrative staff, Annie Reiser- Director of Operations and Ashley Mello Transaction Coordinator



Nick and Teddie

I aim to put client's needs first and have made it my mission to grow a team who does the same. We are passionate about our community and are heavily involved in improving and developing the cities and towns around us. I am on several community boards, including: the Rise Above Foundation, St. Bernard's High School, and the North Central MA Association of Realtors. I hope to continue to make a positive impact in North Central Massachusetts through community service and running my business with the community in mind.

I look forward to serving on the North Central MA Association Board of Directors as President elect in 2021.

Reach out to me at [pelletier.nicholas@gmail.com](mailto:pelletier.nicholas@gmail.com)

### Top Producer Contest Rules and Form

The 2020 Top Producer Entry Form and contest rules are available online at [www.ncmar.com](http://www.ncmar.com) under the membership tab.

There is no paper form, all entries must be filed online.

\* **Entry deadline is January 11, 2021**

Levels to qualify are:

- \* 18 units with no minimum volume OR
- \* \$3.25 million volume plus a minimum of 12 units OR
- \* \$6.5 million with no minimum units

**2021 REALTOR dues must be paid by January 1st to be considered.**

### 2021 REALTOR Dues Reminder

To pay your 2021 REALTOR dues by credit/debit card or e check, go to [www.ncmar.com](http://www.ncmar.com)

- \* Click on the Member Login button.
- \* Use your NRDS # for the Login and your Last name (with the first letter capitalized) for the password.
- \* On the left navigation you will find Invoice/Poll.
- \* Click on the link and it will bring up the invoice.
- \* Pay online or print it out and mail a check to NCMAR, 40 Summer St, Fitchburg, MA 01420

Call us if you need your NRDS # (978) 345-2531

You can also login and print your paid invoice for tax purposes.



## Business Partner Spotlight

January 2021

### Meet Your Business Partner—Brianna Kelley

*Total Mortgage in Leominster*

I love helping people get into the homes of their dreams, and have enjoyed working in the mortgage industry for over 15 years. Serving as Branch Manager of Total Mortgage in Leominster, I lead a team of professionals ready to assist homebuyers through the loan process.



Networking and giving back to our local association of REALTORS is important to me.

I have served as a Business Partner Director and am chair of the 2021 Community Involvement Committee. I was honored to receive the 2017 and 2018 Business Partner of the Year and Good Neighbor awards.

As Community Involvement Committee Chair, I have helped to plan and organize Habitat Builds, Adopt a Family Gift Program, Cancer Fundraisers, Scholarship Fundraisers and participate in as much as I can.



Denise Wortman and Brianna Kelley

I am also Treasurer for the Princeton Fire/EMS association, and was elected as the Vice President for the North Central MA Habitat for Humanity.

When I am not working, I enjoy playing softball, camping, reading, spending time with my six kids. My favorite getaway is the beach!

My favorite quote is from Steve Jobs "Great things in business are never done by one person. They're done by a team of people."

Reach out to me at [Bkelley@totalmortgage.com](mailto:Bkelley@totalmortgage.com)

### 2021 Committee Chairs

#### Executive Committee

Darlene Rossi

#### Finance Committee

Shauna Roberts

#### Government Affairs

Michelle Haggstrom

#### Member Services/Event Planning

Jean Rubin

#### Community Involvement

Brianna Kelley

#### Grievance

Gayle Sabol

#### Professional Standards

Gary Bourque

#### Scholarship

Pamela Bakaysa Conway

#### Awards & Recognition

Kendra Dickinson

#### Top Producer

Laura Shifrin/Gail Lent

#### MAR Directors

Darlene Rossi

Kendra Dickinson

#### Alternates

Susan Wright

Nicholas Pelletier

#### MLS PIN Directors

Rick Healey

Paula Savard

### Thank you to our 2021 Sponsors

Premier Sponsor - Total Mortgage

Gold Sponsor - Fidelity Bank

Silver Sponsor - Law Office of David Rocheford

Silver Sponsor - Reynolds Law Offices

Silver Sponsor - RMS Mortgage

Silver Sponsor - Rawson & Sons Insurance

Silver Sponsor - IC Credit Union

Silver Sponsor - Rollstone Bank & Trust

*Welcome New Members!!*

REALTOR Members

Name

Cheryl Burgoyne  
Sarah Gibb  
James O'Neill

Office

Central Mass Real Estate, Leominster  
Lamacchia Realty, Leominster  
Keller Williams Realty North Central, Leominster

*November Membership Numbers*

NEW MEMBERS: 3

REINSTATEMENTS 0

SECONDARY BROKER - 0

RESIGNATIONS: 0

OFFICE TRANSFERS: 0

NEW BUSINESS PARTNERS: 0

REALTORS as of 11/31 - 531

BUSINESS PARTNERS as of 11/31 - 74

REALTORS as of 10/30 - 528

BUSINESS PARTNERS as of 10/30 - 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  
**January 21, 2021**  
9am to 12:30 pm  
via Zoom

Register by emailing Katey  
at [membership@ncmar.com](mailto:membership@ncmar.com)

**2021 Continuing Education – Conducted via Zoom**

1/13/2021	10:00am	Lead Paint (RE20R13)	Taught by Andy Consoli
1/26/2021	10:00am	Residential Home Inspection (RE110R20)	Taught by Andy Consoli <b>NEW!</b>
2/9/2021	10:00am	Real Estate Professional Ethics (RE33RC11)	Taught by Paula Savard
2/10/2021	10:00am	Landlord/Tenant Part 1 (RE98R16)	Taught by Andy Consoli
3/10/2021	10:00am	Landlord/Tenant Part 2 (RE99R16)	Taught by Andy Consoli
3/16/2021	10:00am	Protect the Protected in Real Estate (RE111RC20)	Taught by Isabelle Perkins <b>NEW!</b>
3/22/2021	10:00am	FHA Loans (RE75R12)	Taught by Gary Bourque
4/7/2021	10:00am	Short Sales (RE78R13)	Taught by Attorney Nik Thalheimer
4/14/2021	10:00am	Condos, Coops, Timeshares (RE12R07)	Taught by Attorney Craig Reynolds
5/12/2021	10:00am	Title V (RE22RC13)	Taught by Andy Consoli
5/19/2021	10:00am	Contract Law (RE05RC12)	Taught by Attorney Craig Reynolds
6/9/2021	10:00am	Wetlands Protection Act (RE23RC12)	Taught by Andy Consoli
6/16/2021	10:00am	Understanding Title/Concerns (RE44R05)	Taught by Attorney Nik Thalheimer
7/13/2021	10:00am	Real Estate Professional Ethics (RE33RC11)	Taught by Paula Savard
8/11/2021	10:00am	Environmental Issues (RE63RC10)	Taught by Andy Consoli
9/8/2021	10:00am	MA RE License Law/Regulations (RE08RC12)	Taught by Andy Consoli
9/22/2021	10:00am	Purchase and Sales Agreement (RE89R14)	Taught by Attorney Craig Reynolds
10/6/2021	10:00am	M.G.L. c. 93A (RE04RC12)	Taught by Attorney Nik Thalheimer
10/13/2021	10:00am	Architecture (RE14R07)	Taught by Andy Consoli
11/10/2021	10:00am	Residential New Construction (RE46R05)	Taught by Andy Consoli
11/17/2021	10:00am	Residential Appraisal Process (RE26R20)	Taught by Gary Bourque <b>NEW!</b>
12/7/2021	10:00am	Real Estate Professional Ethics (RE33RC11)T	taught by Paula Savard
12/15/2021	10:00am	Closing and Settlement (RE07R19)	Taught by Attorney Craig Reynolds

**Note: Classes are from 10:00am to noon, with the exception of the Real Estate Professional Ethics classes, which are 10:00am-12:30pm. Three NEW classes never offered before on the schedule for 2021!!**

**Need to know how many CE classes that you have attended at the NCMAR Real Estate School #1164?**

Log on to [www.ncmar.com](http://www.ncmar.com)

Click on the Member Login button on the right top of the web page.

Login in credentials are your NRDS# and password is your last name (Case sensitive).

Click on the blue link that says View Education Records.

Your CE's will be listed there. This list will not include classes that you took at other schools.

**Do you have suggestions for CE Classes or Lunch and Learn Topics?**

Please email [kathyllore@ncmar.com](mailto:kathyllore@ncmar.com) with suggestions.

We are preparing the 2021 calendar for next years events and want your input.

Lunch and Learn's are one hour classes on any topic pertaining to real estate, personal growth, marketing, tax preparation, etc.

CE Classes are from a list of classes provided by the Board of Real Estate Brokers and Salespersons and can be found on [mass.gov](http://mass.gov).

NCMAR CONTINUING EDUCATION CLASS

## LEAD PAINT (RE 20R18)

LEAD PAINT RESIDENTIAL SALES AND RENTALS  
GET AN UPDATE FROM INSTRUCTOR ANDY CONSOLI

**JANUARY 13 | 10 AM TO NOON VIA ZOOM**

Topics to be covered:  
Dangers of Lead  
History of Lead Law  
Lead Law Compliance  
Residential Rentals  
Exemptions  
Penalties  
Taxes and Funding

Sponsored by Total Mortgage



## RESIDENTIAL HOME INSPECTIONS

**NEW** continuing education class



**Attendees will learn**

1. The basics of the residential property inspection
2. Qualifications of a Home Inspector
3. What to expect an inspector to say and not to say
4. The scope of a Home Inspection, limitations and exclusions, vacant/unoccupied buildings
5. Other possible Inspections and Tests
6. Financing Issues
7. Realtors responsibilities
8. Questions and answers.

**Wednesday, January 26, 10 am to Noon**  
**Via Zoom Instructor Andy Consoli**

**SPONSORED BY FIDELITY BANK**

REGISTER AT NCMAR.COM

### CALENDAR

Monday, January 11th  
Deadline for Top Producer  
Submissions through [ncmar.com](http://ncmar.com)

Wednesday, January 13th  
10:00am to noon  
Lead Paint  
Taught by Andy Consoli

Monday, January 18th  
Martin Luther King Day  
Office closed

Thursday, January 21st  
New Member Orientation  
9 to 12:30 via Zoom

Tuesday, January 26th  
10:00am to noon  
Residential Home Inspection  
Taught by Andy Consoli

Wednesday, January 27th  
Board of Directors Meeting  
9:30 am to 10:30 am via Zoom

Thursday, January 28th  
Noon to 1 pm  
Lunch and Learn  
Home Owners Insurance - Pitfalls  
and Red Flags  
Taught by Rich Rawson of Rawson  
and Sons Insurance.

Tuesday, February 9th  
10:00am to noon  
Real Estate Professional Ethics  
Taught by Paula Savard

Wednesday, February 10th  
10 am to Noon via Zoom  
Landlord/Tenant Part 1  
Taught by Andy Consoli

Publication by the North Central MA Association of REALTORS

40 Summer Street, Fitchburg, MA 01420

(978) 345-2531 [www.ncmar.com](http://www.ncmar.com)