

President's Message

Happy February Everyone!

Lots has happened in the last month. For starters, let's all thank the National Association of Realtors and the Department of Justice (DOJ) for all their hard work in helping us.

On Wednesday, Judge Timothy J Kelly of the US District Court for the District of Columbia ruled that the earlier settlements terms are still valid.

"The government, like any party, must be held to the terms of its settlement agreements, whether or not a new administration likes those agreements," Kelly, a Trump appointee, wrote in his ruling.

In 2020, the DOJ's antitrust division agreed to a settlement after investigating the trade groups listing and agent compensation policies. The settlement proposed at the time included requirements for NAR to boost transparency about broker commissions and to stop misrepresenting that buyer broker services are free.

However, the DOJ, under new leadership in the Biden administration, withdrew the settlement in July 2021, stating that the terms of the agreement prevent regulators from continuing to investigate certain association rules that they feel harm buyers and sellers. NAR filed a petition in September 2021 to set aside or modify the DOJ's probes into the trade group. In his ruling, Kelly stated that allowing the DOJ investigation to continue would take away the benefits NAR had negotiated in the original settlement.

"We are pleased the court has granted our petition to set aside the Department of Justice's (DOJ's) action and agree it is a violation of the executed settlement agreement. As stated in the court's decision "...not setting aside the CID at issue would deprive NAR of the benefit for which it bargained: the closure of the

Antitrust Division's investigation into its Participation Rule and Clear Cooperation Policy," Mantill Williams, NAR's VP of communications, wrote in an email. "The

government, like any party, must be held to the terms of its settlement agreements..." NAR guidance for local MLS broker marketplaces has long been recognized to ensure fair, transparent and competitive real estate markets for consumers and businesses." HUGE WIN! Thank you NAR & DOJ

I hope you are not tired of hearing "Riding with the Brand", as this is our theme for 2023! Learn and enjoy it! Have fun in what you do! Love what you do!

"It is NOT riding FOR the brand but rather WITH the brand, because our members ARE the brand, and the brand means something to all of us. It is bigger than the organization or any one person. It represents the very best of people who truly love our communities and the people who live in them" (Kenny Parcel)

Make sure to check out the recent issue of the REALTOR magazine and read what our National Association of Realtors, President Kenny Parcel has to say. Try to live by his 5 L's

Legacy: Always leave things better than the way were, not just within the Realtor family but in all aspects of life. Your candle loses nothing when it lights another.

Laugh: In life, it is important to laugh and smile often. Laughter is contagious. When we laugh at our mistakes, we learn and improve. Our best teacher is our last mistake.

(cont page 2)



Meeting Minutes

February 2023

Love: Always love others no matter what, and look for people to love. As people feel loved, they will achieve more. This gives us a great place to grow from. Everyone needs to be loved and have someone to love.

Learn: Always push yourself to be better today than you were yesterday and better tomorrow than you were today. The more you learn today, the more value you bring to others.

Lead: The best leaders are the best listeners. They know leadership is never about them. It's always about others. Great leaders foster other leaders and help people become better. Great leaders always give their best.

It was great to see so many of you at the Denim and Diamonds Top Producer Expo/Awards night at the Doubletree. Lots of fun things coming in the coming months.

Enjoy your time and I hope to see you soon!

Jean

January Board of Directors Meeting

Members in attendance: President Jean Rubin, President elect Susan Wright; Treasurer Shauna Roberts, Secretary, Secretary Katey Tata, Past President Nick Pelletier, Business Partner Director Sophia Bell, Director at Large Denise Wortman (via Zoom) and Kathy Lore Executive Officer

The meeting was called to order at 9:43 am

MOTION: It is moved, seconded and carried to approve the December 2022 BOD Minutes.

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

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

MOTION: It was moved, seconded and carried to recognize Thomas Ruble with Honorary Membership for his many years of membership and service.

The Community Involvement Committee minutes were reviewed. No motions presented.

The Member Services/Events Committee minutes were reviewed. No motions presented.

The Government Affairs Committee minutes were reviewed. No motions presented.

Next BOD Meeting is Wednesday, February 22nd at 9 am

The meeting adjourned at 11:00 am#

NCMAR Leadership

President

Jean Rubin

Hometown, REALTORS

jean.rubin@ymail.com

978-660-6185

President Elect

Susan Wright

EXIT New Options

swright@exitnewoptions.com

978-549-1146

Treasurer

Shauna Roberts

Bank Hometown

sroberts@bankhometown.com

978-877-7938

Secretary

Katey Tata

Keller Williams Realty

North Central

katey@kw.com

<:;0;8809<:##

Director

Denise Wortman

EXIT New Options Real Estate

dwortman@exitnewoptions.com

978-852-7955

Business Partner Director

Sophia Bell

Total Mortgage

sbell@totalmortgage.com

978-870-7152

Past President

Nicholas Pelletier

Keller Williams Realty

North Central

npelletier@kw.com

978-674-7146

Executive Officer

Kathy Lore

NCMAR

kathylore@ncmar.com

978-345-2531

Justin Davidson, MAR General Counsel

Catherine Taylor, Associate Counsel

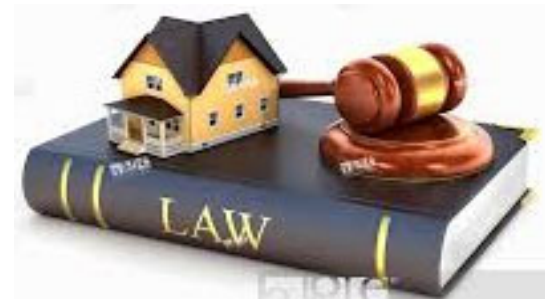
Jonathan Schreiber, Legislative & Regulatory Counsel

Q. Is a brokerage required to have an escrow account?

A. A brokerage is only required to maintain an escrow account if they hold transaction funds. 254 CMR 3.10 requires that all money paid over to a real estate broker during the pendency of a transaction be immediately deposited in a bank escrow account, unless otherwise agreed to in writing by the parties. An escrow account is one in which the broker maintains the funds on behalf of the parties to the transaction, but has no claim to the funds. A broker holding such funds is obligated to maintain a proper accounting of all funds held and retain those records for a minimum of three (3) years.

Q. Can a real estate broker operate as the principal broker for more than one brokerage?

A. Yes, an individual holding a Massachusetts Broker's License is not restricted to working for only one broker. The single affiliation requirement contained within Mass. General Laws Chapter 112, Section 87VV only applies to individuals holding a salesperson's license. A brokerage may, however, have an internal policy restricting the ability of affiliated brokers to work at other brokerages. Any such policies should be contained within the office policies and/or the independent contractor agreement.



Q. Can a landlord screen potential tenants based on their credit report?

A. Yes, credit can be used as a screening tool with a few very important caveats. As with any other criteria used to screen prospective tenants, the requirement must be uniformly applied to all applicants. Additionally, if a landlord elects to deny an application based on credit, the applicant must be provided a Notice of Adverse Action, which can be done orally, electronically, or via hard copy. If the Notice is provided orally, as a best practice, the applicant should also be sent the Notice via email or USPS. The Notice must include the following information:

- The credit score, if it was used to make the determination;
- The name and contact information of the credit reporting agency;
- The reason(s) for the denial;
- Notice of the individual's right to a free copy of their credit report and how to obtain a copy; and
- Notice of the individual's right to dispute the accuracy of the information in the report.

Landlords with specific questions regarding appropriate screening policies and processes should be advised to seek independent legal counsel.

Written by: Justin Davidson, General Counsel; Catherine Taylor, Associate Counsel; and Jonathan Schreiber, Legislative & Regulatory Counsel.

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 legalthotline@marealtor.com.

Welcome November New Members!!

REALTOR Members:

(+3) Association Transfers

<u>Name</u>	<u>To NCMAR from</u>	<u>Office</u>
Justin Kittle	NSAR	Laer Realty
Jessica Cavallero	RACM	Keller Williams Realty North Central
Andrea Sandoval	RACM	Keller Williams Realty North Central

(+2) Secondary Members

<u>Name</u>	<u>Office</u>	<u>Primary</u>
Jeff Hall	Real Brokerage MC, LLC	RACM
Yasmin Loft	Allen Tate Lake Norman	Charlotte North Carolina AOR

Business Partners

(+1) New members

<u>Name</u>	<u>Office</u>
Edward Kaczor	Edward John Kaczor III Electrician

Office to Office Transfers

<u>Name</u>	<u>From</u>	<u>To</u>
Candace Bauer	Laer Realty Partners	Coldwell Banker Realty
Giovanna Graves	Lamacchia Realty	Central Mass Real Estate
Carey Carmisciano	Straight Real Estate Solutions	Coldwell Banker Realty
Alexis Donnelly	Straight Real Estate Solutions	Coldwell Banker Realty
Shane Donnelly	Straight Real Estate Solutions	Coldwell Banker Realty
Kate Jackson	Straight Real Estate Solutions	Coldwell Banker Realty
Victoria Jeffrey	Straight Real Estate Solutions	Coldwell Banker Realty
Christiana Santiago	Straight Real Estate Solutions	Coldwell Banker Realty
Clark Straight	Straight Real Estate Solutions	Coldwell Banker Realty
Matthew Straight	Straight Real Estate Solutions	Coldwell Banker Realty
Michelle Tracy	Straight Real Estate Solutions	Coldwell Banker Realty

Office Name Change

From Dimacale & Gracie Real Estate to Dimacale & Gracie Real Estate powered by Laer

Please help us collect non-perishable foods for non-profit organizations in North Central MA. This food drive serves many families in need within our communities

DROP-OFF AT ANY OF OUR EVENTS

Member Meetings

Monday, June 5th, Colonial Hotel Gardner

NCMAR Night Out

Thursday, February 16th, 110 Grill Leominster

Thursday, March 16th, King Phillip Phillipston

FOOD DRIVE



(-22) Resignations

<u>Name</u>	<u>Reason</u>	<u>Office</u>
Monica Farley	Not practicing real estate	RE/Max Patriot Realty
Sonya Farley	Putting license as inactive	Squanicook Associates Real Estate
Penny Maliska	Not renewing	Keller Williams Realty North Central
Ernest Vandergriff	Retiring	Foster-Healey Real Estate
Peter Haley	Retiring	Aberman Associates
Jonathan Buck	Career change	Laer Realty
Schuyler Minckler	Moved out of state	William Raveis Real Estate
Marcia Casacca	Retiring	Coldwell Banker Realty
Thomas Ruble	Retiring	Keller Williams Realty North Central
James D'Agostino	Not renewing	Keller Williams Realty North Central
Christopher Daly	Retiring	Daly's Property Shoppe
Margaret Hughes	Left business	Montalbano Real Estate
Penny Montalbano	Left business	Montalbano Real Estate
Corrina Wells	Moved to Agawam	Foster-Healey Real Estate
Yasmin Loft	Moved to North Carolina	Aberman & Associates
Josephine Fluet	Retired	EXIT New Options
Debra Baker	No reason given	Coldwell Banker Realty
Maryann Bonneau	No reason given	Coldwell Banker Realty
Alicia Burak	No reason given	Coldwell Banker Realty
Nicole Reil	Left business	Hometown Powered by Laer
Eric Chouinard	Left business	Hometown powered by Laer
Diane Adams	No reason	Adams Construction and Realty

(-11) Board Transfers

<u>Name</u>	<u>Office</u>	<u>Board</u>
Linda Bourgeois	Coldwell Banker Realty	Greater Boston
John Snyder	Redfin	Greater Boston
Paige Goodmanson	Lamacchia Realty	RACM
Christine Warren Sargent	Lamacchia Realty	RACM
Sharon Warilla	Lamacchia Realty	RACM
Stacey DiPhillipo	Lamacchia Realty	RACM
Kevin Cormier	Lamacchia Realty	RACM
Dawn Roy	Lamacchia Realty	RACM
Edwin Ahearn	Lamacchia Realty	RACM
Adrian King	Lamacchia Realty	RACM
Sarah Schouler	Lamacchia Realty	RACM

(-2) Secondary Members

<u>Name</u>	<u>Office</u>
Andy Armata	REAL Broker MA, LLC
Rochele Jonswold	Keller Williams Realty North Central

(-2) Business Partner Resignations

<u>Name</u>	<u>Office</u>
Steven Kelley	Total Mortgage
Lucas Sexton	Bay Equity Home Loans

MEMBERSHIP REPORT

New REALTORS	5	As of December 2022		As of December 2021	
REALTOR Resignations	33	REALTORS	532	REALTORS	546
Office Transfers	1	Business Partners	<u>83</u>	Business Partners	<u>73</u>
New Business Partners	1	TOTAL MEMBERSHIP	614	TOTAL MEMBERSHIP	619
New Business Resignations	2				

Continuing Education Opportunities

February 2023

Continuing Education Classes In Person and Via Zoom

February 2023

Real Estate Legal Series—"From Offer to Closing"

Tuesday, February 21st 10 am to Noon Via Zoom	Contract Law Taught by Attorney Reynolds
Tuesday, February 21st Noon to 2 pm Via Zoom	Closing and Settlement Taught by Attorney Reynolds
Thursday, March 9th 10am to Noon In person	Understanding Reverse Mortgage Taught by Lynn Devin
Monday, March 20th 10 to 12:30 In person	Professional Ethics Taught by Paula Savard
Tuesday, April 4th 10 to Noon In person	Zoning and Building Codes Taught by Attorney Thalheimer
Tuesday, April 18th 10 to Noon Via Zoom	Protecting the Protected Classes Taught by Isabelle Perkins
Wednesday, May 4th 10 am to Noon Via Zoom	Alternative Dispute Resolution and Procuring Cause Taught by Linda Kody
Tuesday, May 9th 10 am to Noon In Person	Financing Taught by Attorney Thalheimer & Kim Stone
Thursday, June 8th 10 am to Noon In Person	M.G.L. Ch 92A Taught by Attorney Thalheimer
Wednesday, June 14th 10 am to Noon In Person	Residential Mortgage Loan Market Taught by Brian Cormier/Niles Busler

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

Please email suggestions to
kathylore@ncmar.com.

We are looking for member input on topics for continuing education classes and lunch & learn topics.

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.

Good News About NCMAR's Continuing Education!

1. Our goal for 2022 is to have live in person classes that are also broadcast via zoom for members who prefer to attend virtually. We hope to maximize accessibility to all our CE offerings.
2. Continuing education classes in 2022 will generally be held twice a month, typically Tuesday and Thursday.
3. Classes taught by Andy Consoli are eligible for both MA and NH credit.
4. We have 25 free continuing education classes scheduled for 2023, and we will advertise them in future emails.

Register for classes at www.ncmar.com.

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

Log on to 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.

CALENDAR

CE Classes

**REAL ESTATE
LEGAL SERIES**

**FROM OFFER TO CLOSING
VIA ZOOM**

**ATTORNEY R. CRAIG REYNOLDS
INSTRUCTOR**

THURSDAY, JANUARY 26TH 10 AM TO NOON
OFFERS

THURSDAY, JANUARY 26TH NOON TO 2 PM
PURCHASE AND SALES AGREEMENTS

TUESDAY, FEBRUARY 21ST 10 AM TO NOON
CONTRACT LAW

TUESDAY, FEBRUARY 21ST NOON TO 2 PM
CLOSING AND SETTLEMENT

REGISTER AT WWW.NCMAR.COM



Monday, February 6th
4:30 to 6:00pm
Trade Show
Doubletree by Hilton Leominster

Monday, February 6th
6:00-8:30 pm
Denim and Diamonds Top Producer
Awards Banquet
Doubletree by Hilton Leominster

Monday, February 13th
Community Involvement Committee Meeting
10 am via Zoom

Monday, February 13th
Government Affairs Committee Meeting
11 am via Zoom

Tuesday, February 14th
Happy Valentine's Day

Thursday, February 16th
New Member Orientation
9 am to 1 pm
NCMAR Office

Thursday, February 16th
NCMAR Night Out
5:30 pm
110 Grill, Leominster

Monday, February 20th
President's Day
Office Closed

Thursday, February 21st
CE Class Contract Law
10-noon via Zoom

Thursday, February 21st
CE Class Closing and Settlement
noon – 2 pm via Zoom

Wednesday, February 22nd
NCMAR Board of Directors
9 am at NCMAR Office


Tuesday, February 28th
Member Services/Events Committee
9:30 am at NCMAR Office


**NCMAR
NIGHT OUT**

Thursday, February 16th
5:30 to 8:30
rsvp.ncmar.com

Eat, Drink, Be Merry!

The Night's Sponsors:


THE LAW OFFICE
of
DAVID R. ROCHEFORD, JR., P.C.
www.thebestclosings.com


EVOLVE
BANK & TRUST
MORTGAGE

Mike Virostko
Home Loan Consultant
NMLS#1533018

