

President's Message

We had an amazing evening at the Bull Run last night for our 76th Annual NCMAR Business Meeting. I'm extremely excited for our 2023 Board of Directors who will be installed at our December 5th Banquet at Apple Hill Farm! Hoping this will be one of our biggest events to date so please mark your calendars! Join President Elect Jean Rubin on the dance floor with our DJ for the night Ray Richards!

In a shifting market one of the best things you can do is engage with fellow Realtors and I hope you will join us at our upcoming NCMAR Night out sponsored by Fidelity Bank at The Fix in Leominster on October 20th! Don't forget our Halloween Costume Contest!

Last year's costumes were truly impressive so my expectations are high!

I believe staying engaged and continuing to learn are always key! I always learn something new

and you never know when what you have learned might help you pull together a future deal!

There are many CE opportunities this month, along with NCMAR's Night Out and Lunch & Learn. Check them out on the following pages of the newsletter.



Looking forward to seeing everyone soon and as always if there is anything I can do to help let me know!

Nick



2022 Premiere Sponsor

total  mortgage NMLS#2764

September Board of Directors Meeting

Members in attendance: Nick Pelletier President; Jean Rubin President elect; Shauna Roberts Treasurer; Darlene Rossi, Past President; Denise Wortman Director at Large, Sophia Bell, Business Partner Director and Kathy Lore Executive Officer Guest Katey Tata, 2023 Secretary, Laura Shifrin, Top Producer Committee Chair (via Zoom)

The meeting was called to order at 10:02 am

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

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

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

MOTION: It was moved, seconded and carried to approve a \$700 override to the budget to cover the Strategic Planning facilitators fee of \$1,200.

MOTION: It was moved, seconded and carried to approve the changes to the Policy Manual as presented.

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

President Pelletier gave an update on the October Annual Meeting agenda and attendance.

President elect Rubin gave an update on the NAR Leadership Summit.

Next BOD Meeting October 26th at 10:30 am.

The meeting adjourned at 11:12 am

Upcoming events

October Annual Business Meeting—Monday evening October 3rd 5-9 pm at the Bull Run Restaurant.

Next BOD Meeting –Wednesday, October 26th at 9:30 am

LEAD Program at MAR Foxborough Tuesday, October 11th

Lunch and Learn at Apple Wild School Wednesday, October 12th 12 to 1 pm

NCMAR Night Out Costume Party October 20th location TBD

Strategic Planning Event, October 27th 9am to 2 pm at NCMAR Office

Team Building at Escape Room October 28th 9:45 am

Super Raffle and Meat Raffle Saturday November 19th Acadian Club

NCMAR Leadership

President

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President Elect

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Justin Davidson, MAR General Counsel

Catherine Taylor, Associate Counsel

Jonathan Schreiber, Legislative & Regulatory Counsel



Q. Can a brokerage operate as a designated agency on a per-transaction basis?

A. No, because of the way agency relationships in real estate transactions work, the type of agency a brokerage practices must be consistent for all transactions. A brokerage may elect to transition from traditional agency to designated agency, or vice versa, as an office policy, but the type of agency practiced at any given time must be consistent amongst all transactions. A brokerage may not switch the agency it practices from one transaction to the next.

In a “traditional agency” brokerage, each licensee in the office has the same relationship with each client. This means that when one agent within an office represents a seller and another agent within the same office represents a buyer, dual agency is created. In order to proceed in this scenario, both parties to the transaction must have given consent to dual agency and been provided with notice when it occurs. In dual agency, the fiduciary duties owed to each party are reduced to confidentiality of material information and accounting for funds. A dual agent cannot satisfy fully the duties of loyalty, full disclosure, and obedience to lawful instructions. Furthermore, a dual agent must remain neutral with regard to any conflicting interest of the seller and buyer.

Conversely, in a brokerage that practices designated agency, individual agents within the same office can have relationships with clients on both sides of a transaction without the individual agents becoming dual agents. Here, where one agent within a brokerage represents the seller and another represents the buyer, each as a designated agent, both agents owe the full spectrum of fiduciary duties to their respective clients. As with dual agency, both clients must have given consent to designated agency and then been provided with notice when it occurs. The appointing agent in the brokerage acts as a dual agent, however, the regulations do not require the appointing agent to receive a separate consent.

Regardless of the agency structure a brokerage elects to follow, it is recommended that the office policies include provisions related to agency relationships and office procedures related to the same.

Q. What can a seller do if there is an old family cemetery on the property that they want to relocate prior to closing?

A. The disposition, including the relocation, of human remains is a highly regulated process in Massachusetts, regardless of how long the remains have been in a location and the relationship of the person seeking relocation to the deceased. Massachusetts General Laws Chapter 114, Section 45 requires that a permit be obtained from the municipality’s board of health or town clerk prior to the exhumation.

If the exhumation process does not occur until the property is already under contract, a seller must be careful to ensure they are not in breach of the terms of the contract which require the property to be transferred to the buyer in the condition in which it was in when the contract was entered into. Breach may be avoided by including a clause in the contract specifying the area of the property to be dug up and what the condition of the property will be at the time of closing.

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

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Membership

October 2022

Welcome New Members!!

(+5) New Members

<u>Name</u>	<u>Office</u>
Adrian King	Lamacchia Realty
Joao Negreiros	Keller Williams Realty North Central
Michael Shadd	Coldwell Banker Realty
Anthony Tavano	Keller Williams Realty North Central
Tracie Wright	Four Columns Realty

(+1) Secondary Members

<u>Name</u>	<u>Office</u>
John Snyder	Redfin

(-1) Association Transfers

<u>Name</u>	<u>Transferred To</u>	<u>Office</u>
Amy Cooper	RACM	First Worcester Homes

(-3) Resignation/Drops

<u>Name</u>	<u>Office</u>
Linda Largey	Linda Largey, REALTOR
Chantell Oliveras	Lamacchia Realty
Ann Ricciardi	Foster-Healey Real Estate

(+1) Business Partners

<u>Name</u>	<u>Office</u>
Barbara Yanke	Fidelity Bank

(-1) Business Partners Drops

<u>Name</u>	<u>Office</u>
Dana Roberts (Retirement)	Fidelity Bank

Membership Numbers

New REALTORS	5
Resignations	4
Office Transfers	0
New Business Partners	1
As of August 2022	
REALTORS	543
Business Partners	<u>79</u>
TOTAL MEMBERSHIP	622

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.



NEW MEMBER ORIENTATION

REALTOR and Instructor Niles Busler

- 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, November 16th, 2022
9 am to 1 pm
40 Summer Street
Fitchburg, MA 01420

Register by emailing Katey at membership@ncmar.com

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

Please email suggestions to kathyllore@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 2022 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. There are 7 classes in 2022 that are eligible for both MA and NH credit, classes taught by Andy Consoli.
4. We have 25 free continuing education classes scheduled for 2022, and we will advertise them in future emails.

Register for classes at www.ncmar.com

2022 Continuing Education Classes In Person and Via Zoom

Wednesday, October 5th
10 am to Noon
Via Zoom

Residential Appraisal Process
Taught by Gary Bourque

Thursday, October 13th
10 am to 12:30
At the NCMAR Office, 40 Summer St. Fitchburg

Professional Ethics
Taught by Paula Savard

Tuesday, October 18th
10 a m to Noon
Via Zoom

Financing
Taught by Kim Stone/Niles Busler

Thursday, November 3rd
10 am to Noon
At the NCMAR Office, 40 Summer St. Fitchburg

Foreclosures
Taught by Attorney Reynolds

Tuesday, December 6th
10 am to Noon
Via Zoom

Fair Housing
Taught by Isabelle Perkins

Wednesday, December 14th
10 am to Noon
At the NCMAR Office, 40 Summer St. Fitchburg

MGL Chapter 93A
Taught by Attorney Thalheimer



RESIDENTIAL APPRAISAL PROCESS



Wednesday October 5th, 2022
10 am to noon via Zoom

TAUGHT BY APPRAISER &
REALTOR GARY BOURQUE

Key topics:

- What is the objective of an appraisal?
- What is the Appraisal license process?
- What are the federal regulations for appraisal?
- What is the law of supply and demand?
- What is the sales market approach, income approach, cost approach and so much more



North Central MA Association of REALTORS

MEAT RAFFLE

Saturday November 19, 2022
5 pm
Acadien Club, Gardner

Join us for a fun time on Saturday Night!

Get ready for all the upcoming family gatherings and holidays!

Six rounds of all kinds of meat. One round of raffle baskets, gift cards and more!

Cash bar and pizza available for purchase.

Proceeds to benefit the Simonds Sinon Cancer Center in Fitchburg

No need to register! Just come and have fun!

You have the friends and family to feed! You just need the meat!
Come to the meat raffle and get ready for your gatherings!

Now Available

Super Raffle Tickets

\$25

Tickets may be purchased from a Community Involvement Committee member or the NCMAR Office

19

Winning tickets will be drawn on November 19th at 7 pm at the Meat Raffle Fundraiser

13

Prizes
\$1000, \$500, \$250, \$100 (10)
Winners need not be present to win



Proceeds to benefit the Simonds-Sinon Regional Cancer Treatment Center in Fitchburg



NCMAR CONTINUING EDUCATION CLASS

FINANCING (RE 25RC08)

INSTRUCTORS:

MORTGAGE LENDER KIM STONE
AND ATTORNEY NIK THALHEIMER

**TUESDAY, OCTOBER 18TH
10 AM TO NOON VIA ZOOM**

Topics to be covered:

Loan Origination Process
Primary Loan application components
Types and Terms of Loans
Disbursement of Funds/Closing
Sources of Financing
1-4 Dwelling Units owner occupied
Statutes and Regulations
and more!

Register at www.ncmar.com



CODE OF ETHICS

CE CLASS PROFESSIONAL ETHICS

THURSDAY, OCTOBER 13, 2022
10 AM TO 12:30 AM
AT THE NCMAR OFFICE

Paula Savard will be our instructor for this IN PERSON continuing education class. Paula uses a multitude of real life examples to teach this fun, interactive and interesting class

Space is limited so please register early at www.ncmar.com

CALENDAR

NCMAR NIGHT OUT
Costume Party
 hosted by Fidelity Bank

OCTOBER 20, 2022
 5:30 - 8:30 PM
 THE FIX BURGER BAR
 14 MONUMENT SQ. LEOMINSTER

Dress up or not. Come and connect & engage with your fellow NCMAR members. Appetizers and cash bar sponsored by Fidelity Bank.

Monday, October 3rd
Annual Business Meeting at Bull Run Restaurant
5pm – 6pm Networking 6pm-8:30 pm Program

Wednesday, October 5th
10 to Noon via Zoom
CE Class Residential Appraisal Process
Taught by Gary Bourque

Monday, Columbus Day
NCMAR Office Closed

Thursday, October 13th
CE Class Professional Ethics
10 to Noon at the NCMAR Office
Taught by Paula Savard

Thursday, October 13th
Blair Street Project Work Day
Noon at Blair St, Winchendon

Monday, October 17th
Community Involvement Committee Meeting
10 am Via Zoom

Tuesday, October 18th
Member Services/Events Committee Meeting
9:30 am at the NCMAR Office

Tuesday, October 18th
CE Class Financing
10 am to Noon via Zoom
Taught by Nik Thalheimer and Kim Stone

Wednesday, October 19th
Lunch and Learn—Mortgages
Noon to 1 pm at the NCMAR Office
Taught by Brianna Kelley, Total Mortgage

Thursday, October 20th
NCMAR Night Out, Costume Party
5:30—8:30 pm
At the Fix Burger Bar
Sponsored by Fidelity Bank

Wednesday, October 26th
Board of Directors Meeting
10:30 am at the NCMAR Office

Thursday, October 27th
Strategic Planning Meeting
9am to 2pm at the NCMAR Office



IN PERSON AT THE NCMAR OFFICE
WEDNESDAY, OCTOBER 19, 2022
NOON TO 1 PM

MORTGAGE PRODUCT OVERVIEW,
 CHANGES IN MORTGAGE GUIDELINES,
 MORTGAGES IN A RAISING RATE
 ENVIRONMENT AND MORE
 HAVE MORTGAGE QUESTIONS, GET
 ANSWERS AT THIS LUNCH AND LEARN.



TAUGHT BY BRIANNA KELLEY