



SANTA CRUZ ASSOCIATION OF REALTORS®
Creating Better REALTORS®

FEBRUARY 2007 • SCAOR.ORG

inside REAL ESTATE

Santa Cruz County's Real Estate News Source



See pages 3 & 9
for details and event information!

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Now a part of the newsletter, not an insert!

"Smooth Sailing To Success" Installation Ushers in 2007 Leadership



Sandy Kaplan, 2007 SCAOR President, welcomed over 175 guests to the SCAOR Installation event on January 12th at the Coconut Grove in Santa Cruz.

Left: Real Estate Commissioner, Jeff Davi and 2007 C.A.R. President Colleen Badagliacco flank newly installed 2007 SCAOR President, Sandy Kaplan.

Below left: (L-R) Past CAR and SCAOR President, Robert Bailey with wife, Lillie; Bob and Barbara Palmer, SCAOR CEO Philip Tedesco, with wife, Nancy Tedesco; and SCAOR President, Sandy Kaplan.

Below: (L-R) Anissa Attard, Julie Ziemelis; Seated, Tiffany Zachmeier, Maria McCormack and Tracy Laine.

2006 AWARD RECIPIENTS



SUZY YOST
2006 REALTOR® OF THE YEAR

For other award recipients and story, please see page 8.



Story and more photos inside, pages 8 & 9.



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For advertising and deadline information, please contact Amy Ferrasci-Harp (831) 464-2000 • amy@scaor.org

INSIDE REAL ESTATE

Inside Real Estate is the official monthly newspaper of the Santa Cruz Association of REALTORS® provided as a member service to inform, educate and update REALTOR® and Affiliate members on local, state and national news, as well as the Association's calendar of events.

Santa Cruz Association of REALTORS®

2525 Main St., Soquel, CA 95073
(830) 464-2000 • (831) 464-2881 (fax)
www.scaor.org

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DixonGraphics.com

President's Message

We are starting off 2007 with lots of new energy!

**Sandy Kaplan**

2007 Association President
Santa Cruz Properties
(831) 588-8855
kaplan@santacruzproperties.com

I wish to thank all of you who attended the Installation of the 2007 Board of Directors of our Association. The Installation committee did a fantastic job and it was great to see so many people attend and support our new leadership team. There were several special guests including John Laird, our State Assemblyman, and Jeff Davi, our Dept. of Real Estate Commissioner. We are very fortunate to have open channels of communication and great support from both of them.

At our first C.A.R. meeting in January, there were several legislative priorities discussed. Stay tuned for more information about which bills C.A.R. will be supporting and what potential real estate related bills are being considered. It is up to us, the members of our local Association, to become informed about the issues, so we can advocate and educate others. Both C.A.R. and NAR are

also looking at the problem of predatory lending and loan fraud. This has become a serious problem and we as REALTORS® need to take a proactive approach towards addressing the problem.

The date for our first Santa Cruz County Housing Expo has been set for April 21st from 10am-4pm and it will be held at Cabrillo College. This is a great event to promote to your clients. There will be almost 50 educational programs for the public! This event helps us reach out to the public, our elected officials and create strong ties to the housing agencies in the County.

In support of our Housing Foundation, I am reminding each of you to please participate in the escrow contribution program at the close of each transaction. The feedback from the clients, whose REALTORS® have participated in the program, has been very positive.

We are starting off 2007 with lots of new energy and volunteer contributions. We invite you to participate, so our Association is even stronger. Call SCAOR to let us know if you wish to get involved!

Save the Date to Educate!

REIL.com 3.0 Hands-On Training

Wednesday February 14th
session times at
9:00am, 11:30am & 2:30pm

Tenants in Common Workshop

Tuesday February 27th
2:00pm-4:00pm
co-sponsored with
Pacific Sun Properties

CRS 204 Creating Wealth through Real Estate Investment

Thurs. & Fri., March 1-2

Broker Forum Breakfast

at the Seacliff Inn Monday
March 19th 9:00-11:30am

Loan Fraud Breakfast Seminar

at Seascapes presented by the
Dept. of Real Estate
Wednesday March
28th 7:15am

Please call the Association
for more details and cost.
(831) 464-2000.

Santa Cruz County Housing Expo slated for April 21st!

SCAOR takes action on educating public

Who is going to do something to educate buyers about how to get a loan and how to find a home? Who is going to provide potential buyers an opportunity to meet with housing agencies directly to see if they qualify for assistance? Who is going to provide seminars for sellers to give them economic information about the market and tips on how best to get their home sold? Who is going to educate investors about 1031 exchanges, tenants in common and how to purchase investment property? Who will provide many of these seminars in Spanish? **WE ARE!** Yes, the Santa Cruz Association

of REALTORS® and the Santa Cruz AOR Housing Foundation are working together to put on a first-of-its-kind free event, the Santa Cruz County Housing Expo, on April 21st at Cabrillo College in Santa Cruz from 10-4 pm. There will be educational presentations and exhibitor tables to educate the public on all segments of the real estate market. We will be working with city and county officials, garnering media coverage, and running advertisements in the local newspapers to help promote the event and the role REALTORS® play in educating the public about the buying, selling and financing process.

Sponsorships are now being sought and exhibitor registration will be available at the end of February. Please call Julie Ziemelis, Marketing Director at SCAOR at (831) 464-2000 or julie@scaor.org or Janée Del Colletti, Santa Cruz Mortgage at (831) 688-6802.

See ad on page 9 for more information!



Santa Cruz County Market Statistics

Single Family Residences					
	CURRENT INVENTORY	NEW	SOLD	AVERAGE	MEDIAN
OCT. 2006	1,188	262	145	\$798,333	\$754,000
NOV. 2006	996	172	171	\$787,468	\$719,000
DEC. 2006	795	101	162	\$809,936	\$710,000
Condos/Townhouses					
	CURRENT INVENTORY	NEW	SOLD	AVERAGE	MEDIAN
OCT. 2006	266	54	38	\$516,957	\$497,000
NOV. 2006	241	45	24	\$490,358	\$472,000
DEC. 2006	189	33	46	\$523,294	\$510,000

For historical statistical information dating back more than 10 years, go to scaor.org and click on "News / Events."

Education

Foreclosure Opportunities for the Buyer-Client

Friday, March 30, 2007 • 9:00 am–4:00 pm
at SCAOR, 2525 Main Street, Soquel
Tuition: \$150*

*SCAOR/WAR Members
Early Bird price until Feb. 16 • After Feb. 26, \$175
*Non-members—\$175 anytime

Note: This is an ABR approved elective class.

Instructor: Debbie Rogers
ABR/M,CRB, e-PRO, GRI, LTG, PMN, SRES

To register, contact Karen Kirwan at
(831) 464-2000 or Karen@scaor.org

TOPICS INCLUDE:

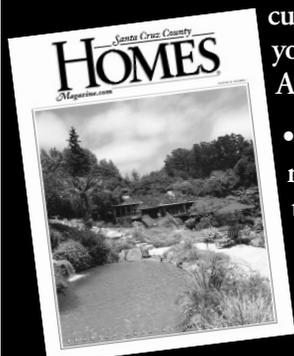
Understanding the process of foreclosure

Tapping into the foreclosure market for the benefit of your client

Integrating foreclosure property opportunities into your current listing and selling business

Real estate foreclosures have been increasing and will likely do so if interest rates continue their upward trend. In this one day seminar, students will not only learn how to spot opportunities for buyers in this unique market segment, but will be able to counsel home-buying clients on the perils of risky finance programs.

- We print 27,100 Magazines every 4 weeks.
- We distribute 7000 magazines to prime locations outside of Santa Cruz county: Los Gatos, Saratoga, Santa Clara, Hollister, Gilroy, Salinas and Moss Landing.
- We stock over 350 inside and outside racks in quality high-traffic areas of Santa Cruz County.
- www.HomesMagazine.com is the the most popular real estate property search website in Northern California with 10,000 or more unique visitors a day viewing an average of 67 listings per visit! Our featured agent advertising program gets these customers to your website! Ask us how.



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REIL announces HomeWorks® changes

HomeWorks will convert to an individual subscription model on February 1, 2007. Agents who want to start or *continue* to use HomeWorks® on or after February 1 must subscribe for a semi-annual fee of \$108. The license must be renewed every six months to retain access to HomeWorks.

On February 1, any current user of HomeWorks® who has not subscribed will no longer be able to log on to the product. To assure that you can continue to access HomeWorks®, please call Subscriber Services at (408) 874-0200 immediately.

The subscription will include HomeWorks® 6.0. Once they have paid the subscription fee, current users will simply log-in and accept the upgrade (which becomes mandatory after February 15).

REIL subscribers who purchased HomeWorks® between May 1 and December 31, 2006, will have their subscription fee waived until June 30, 2007.

An “office” version can be installed for multi-user convenience in the office, but each agent who logs in must have an individual subscription.

Current users of the CMAPro and Street Maps modules will still have these modules available with HomeWorks® Version 6. However, no new editions of these tools will be sold after February 1.

A new CMA tool will be available as part of REIL.com V3 in February. REIL has contracted with Realigent to provide REIL subscribers with a full-featured CMA and Buyer’s Tour in REIL.com for as little as \$9 per month.

REIL was in intense negotiations with eNeighborhoods for the past six months on these changes. In the end, in order to keep this tool available to our subscribers, the six-month subscription fee and individual-only version were absolutely required by the vendor.

Please watch the front page of REIL.com for more information about how to get your new HomeWorks® license.

From C.A.R.

Rise in legal actions against mishandled sales of properties in foreclosure

C.A.R. has received reports of increased civil and criminal actions seeking to redress mishandled sales of properties in foreclosure. California law generally requires special handling of sales transactions to protect homeowners in foreclosure. This law, called the Home Equity Sales Contract Act, generally applies to transactions that meet all of the following four conditions: the property is one-to-four family dwelling units; the owner occupies one of the units as his or her principal place of residence; there is an outstanding notice of default recorded; and the buyer will not use the property as a personal residence. The Home Equity Sales Contract Act does not apply if one of these four conditions is unmet. If, for example, a seller occupies a property in foreclosure, but the buyer will be occupying the property as his or her personal residence, the home equity sales law does not apply.

If all four conditions are met, however, the buyer must use a home equity sales contract, such as the C.A.R. standard form “Notice of Default Purchase Agreement” and attachments. This agreement gives the seller, among other things, a five-day right to rescind the contract. Furthermore, the home equity purchaser cannot be represented by an agent. More accurately stated, the law requires a buyer’s agent to be bonded by an admitted surety insurer, but C.A.R. is unaware of any insurer currently offering the bond.

A violation of the home equity sales law is very serious. The contract may be rendered void and the violator faces both civil and criminal liability, including one year imprisonment plus a \$25,000 fine. For more information, C.A.R.’s Legal Department has published a legal article titled “Home Equity Sales Contracts,” available at <http://qa.car.org>.

From NAR...

2007 Public Awareness Campaign is working for you

*Campaign encourages consumers to consider real estate as long-term investment;
NAR boosts consumer awareness with major national media buy*

2007 marks the 10th year that the Public Awareness Campaign has been working on behalf of the National Association of REALTORS® members to educate and persuade consumers about the value of hiring a REALTOR®. This year, the campaign goes a step further by encouraging consumers to consider real estate as a strong long-term investment and to contact a REALTOR® in their local market.

The campaign’s results are proven. In the past four years, the number of consumers who say they would be more likely to use a REALTOR® instead of a real estate agent who is not a member of NAR has risen by nearly 20 percent, to three out of every four consumers.

The 2007 campaign, “Every market’s different, call your REALTOR® today,” underscores the importance of

REALTORS®’ expertise and experience for both buyers and sellers in today’s real estate market. The national media buy also expands this year, keeping REALTORS® top-of-mind with consumers through radio and television placements from January through November. To learn more about the national media buy, visit www.realtor.org/pac.nsf/pages/MediaPlan.

Enhance your website

Banners are available to download to your website at www.REALTOR.org/pac.nsf/pages/WebBanners. Remind visitors that, as a REALTOR®, you’re an industry professional committed to the highest standards of service.

You can only take advantage of the power of the REALTOR® brand if you use it. Tell clients and potential customers that you’re a REALTOR®. Use the materials available to you at REALTOR.org. Include the REALTOR® “R®” in your marketing materials and on your business cards. And wear your REALTOR® pin with pride.

To learn more about the Public Awareness Campaign, visit REALTOR.org/AwarenessCampaign.

FEBRUARY 2007

SUN.	MON.	TUES.	WED.	THURS.	FRI.	SAT.
				Tax Deduction Class 1:30-4:30pm Dennis McKenzie	Orientation Day 2 8am-5pm Groundhog's Day	
4	5	6	Housing Expo Cmte.-12 Noon 	8	GRI -102-104 8am-5pm Board of Directors 8:45am	10
11	12 Lincoln's Birthday	13	14 	15	16 LGR 8:30am	17
18	19 Closed President's Day	20	21  Affiliates 8:30am Grievance Cmte 2:00pm	22 Washington's Birthday	23	24
25	26 Housing Found Trustees • 3pm 	27	28	1 2 3 MARCH COMING UP IN MARCH... • BUDGET & FINANCE 3/21, 8:30am • STRATEGIC PLANNING 3/28, 8:30am • Daylight Savings Time, 3/11, set your clocks ahead! • St. Patrick's Day! 3/17		

regularly recurring events:

monthly

Board of Directors 1st Friday, 8:30am
LGR 3rd Friday, 8:30am
Affiliates 2nd Wed., 8:30am
Grievance 2nd Wed., 2:00pm
Prof. Standards As needed
Housing Foundation 3rd Wed., 3:00pm

every-other-month

Strategic Planning Last Wed., 8:30am
Budget & Finance 3rd Wed., 8:30am

New Members

SCAOR welcomes the following new members as of December 2006 and wishes them the best of luck!

REALTOR® MEMBERS

William Emmert
American Dream Realty

Eric Drake
Keller-Williams

AFFILIATE MEMBERS

WIN Home Inspection
Gregory McLain

Stone Castle Land &
Home Financial – Suzie Tracy

Comments about an applicant's admittance should be submitted in writing to:

Santa Cruz Assoc. of REALTORS®
2525 Main St.
Soquel, CA 95073

In Memoriam



Ward Miller
Broker,
Silvermill Inc.

We are sad to announce the passing of Ward Miller, 35, Broker Associate of Silvermill, Inc., and formerly of Sherman and Boone Real Estate. Good friend, Bruce Southstone, said Ward was liked by everyone who knew him. A celebration of life was held on January 6th. He is survived by his wife and two children. A trust fund is being set up for his two children. Please contact SCAOR for more information. Our thoughts and prayers are with his family and friends at this time.

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Affiliate Update

Affiliate Committee 2007: New faces bring new ideas



Dimitri Timm
2007 Affiliate Committee Chair
First Net Mortgage
(831) 239-4163
dimitri@firstnetmortgage.com

Our first 2007 Affiliate meeting was very well attended and it was nice to see new faces around the committee table. With new faces come new ideas and new energy. I look forward to seeing what the Affiliate committee can accomplish in the upcoming year!

With the new potential committee members, we revisited our Affiliate member mission statement to make sure that our vision on moving forward is in line with our mission statement. With our mission statement in mind, we opened up discussion for adding additional upcoming mixer events as well as educational opportunities for both REALTORS® and Affiliate members. Watch for upcoming information about additional educational and mixer events supported by the Affiliate committee in 2007.

Currently our first scheduled event of the year will be the Spring Fling Barbecue and Baking Contest on May 2nd at the SCAOR office located at 2525 Main Street. Miss this one and you miss out on the famous De Angelo BBQ and

don't forget to see what's baking at our 8th annual baking contest. Will Rosanna Grau be able to top her Crème Brûlée Cheesecake? Also come to see Donna Teale's creations for the year. Other important dates include: the SCAOR Charity Golf Tournament which will take place this year at DeLaveaga Golf Course on July 21st and the Holiday Open House is planned for November 28th at the SCAOR offices.

Our Affiliate membership continues to grow and if you have yet to join or have questions about joining please contact SCAOR at (831) 464-2000. Being an Affiliate creates great networking opportunities as well as promotes better relations among the affiliate companies who support the real estate industry. As a member, you show support to our local Association of REALTORS® and are recognized as being a source of information for real estate professionals. Additionally, as an Affiliate member you will be printed in the published resource guide that is delivered to all members of the Santa Cruz Association of REALTORS® which is delivered and printed quarterly.

Support your local Santa Cruz Association of REALTORS® and become an Affiliate today!

Dimitri Timm is a Mortgage Consultant with First Net Mortgage in Capitola.

Affiliate Spotlight

Senior Manager leaves corporate life to follow dream in floral business



Sharon Richardson
Owner
Ferrari Florist & Gifts

Sharon Richardson is the owner of Ferrari Florist and Gifts and is a new affiliate member of SCAOR. Ferrari's has been in business since 1946 and is located in downtown Santa Cruz. Sharon tells us that after being in the telecommunications industry for over 24 years, the last third as a senior manager, she felt the need for a new challenge. When the opportunity to buy Ferrari Flowers arose, she decided she could not do better, as it was something she had always wanted to do. She retired from SBC to allow time

to spend being involved with and growing the floral business.

Sharon had the opportunity to move Ferrari's Florist and Gifts back to downtown Santa Cruz where it started years ago. Sharon says, "My job as owner is made much easier due to an existing staff of talented designers who make sure every customer is greeted by beautiful plants, arrangements and gifts. I feel very fortunate to be able to be involved with a business I have always been interested in and to be able to work here in Santa Cruz." Welcome, Sharon, as an affiliate member of the Association!

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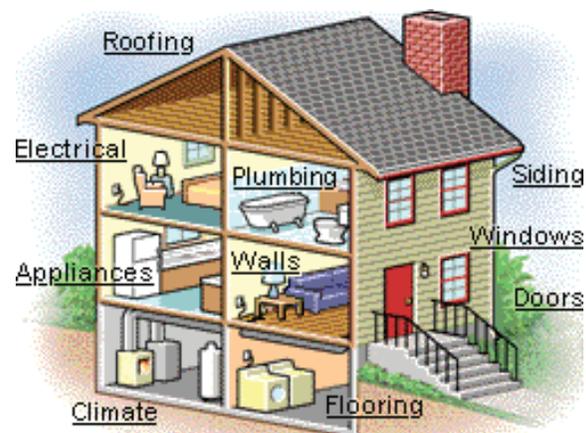
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E-mail: levelines@yahoo.com

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Save these dates in '07!

WHEN	WHAT	WHERE
Wed., May 2	Spring Fling Barbecue & Baking Contest	SCAOR Offices Soquel
Mon., July 21	SCAOR Charity Golf Tournament	DeLaveaga Golf Course
Wed., Nov. 28	Holiday Open House	SCAOR Offices Soquel

“Smooth Sailing To Success” a fun evening for everyone!



Sandy Kaplan with Assemblyman John Laird.



Volunteers: Dabl Bietz, Barbara Dimitruk, Linda Amador and Honora Robertson.



Affiliate Committee Chair, Dimitri Timm with Jennifer Spiros.



2007 Board of Directors swearing in ceremony.

The frigid temperatures did little to dampen the enthusiasm and excitement of the crowd as local dignitaries, California Real Estate Commissioner, Jeff Davi and State Assemblyman, John Laird, made the rounds during the networking buzz in the beginning of the evening. Top brass from a variety of real estate related organizations were in attendance, such as Executive Officer of REIL, Jim Harrison and all of his senior staff, the 2007 Presidents from the Santa Clara and Monterey Association of REALTORS®, and past C.A.R. President, Jim Hamilton.

On hand to usher in the new group of SCAOR leaders was 2007 California Association of REALTORS® President, Colleen Badagliacco, who swore in 2007 President, Sandy Kaplan, of Santa Cruz Properties and 2000 SCAOR President, Gary Gangnes, who swore in the remaining leadership team, President-Elect, Christa Shanaman, of Coast Country Real Estate, Secretary/Treasurer, Lela Willet of Unique Homes and Land and the 2007 Board of Directors team.

The 2007 Directors of the Santa Cruz Association of REALTORS® are as fol-

lows: Steven Allen of Coldwell Banker Residential Brokerage, Debra Frey of RE/MAX Real Estate Services, Frank May of Frank May & Associates, Lauren Spencer of Coldwell Banker Residential Brokerage, Candace Bradfield, Premier Real Estate, Inez Pandolfi, Century 21 Showcase REALTORS®, Katie Smith, David Lyng Real Estate, Sharolynn Ullestad, Bailey Properties, and Ex-Officio, Bobbie Nelson, of Longacre Real Estate. Robert Bailey, 2002 President of CAR and 1988 President of SCAOR, was the Master of Ceremonies.

Special recognition goes to the event committee, Lisa Seace, Santa Cruz Properties, Loree Doan, Santa Cruz Title, Dee Buckelew, American Home Shield, Randy Turnquist, Network Alliance, Norma Milete, SCAOR Member Services Director and Philip Tedesco, SCAOR CEO, for all their work in planning the event and creating a beautiful ambiance to the Sun Room at the Coconut Grove.

A few highlights to the event included
.....
continued...

Congratulations to the 2006 Award Recipients!

Bobbie Nelson, 2006 SCAOR President, had a few words to say about each outstanding real estate professional who deserved their respective awards...

2006 REALTOR® OF THE YEAR



“2006 REALTOR® of the Year, **Suzy Yost** (pictured with Real Estate Commissioner, Jeff Davi and Robert Bailey, past C.A.R. and SCAOR President,) has made consistent contributions of her time, effort, knowledge and talent and has shared graciously and willingly for all of our benefit. She has served with her whole heart on local, state and national levels.” Suzanne is the current REInfolink Director and has served on the Board of Directors for many years.

2006 AFFILIATE OF THE YEAR



“2006 Affiliate of the Year, **Jeff McCormac**, has been a tremendous asset to the Association in regards to the Housing Foundation. It has been my experience to find Jeff as one of the volunteers willing to do what it takes to get the job done. Jeff shows up and gives 100% when he is there, he is the epitome of “Attitude is Everything.”

LIFETIME ACHIEVEMENT AWARD



“Lifetime Achievement Award recipient, **Frank Morris**, served SCAOR as a past President and a director with REIL. He has the highest standards of ethics and has represented SCAOR very well in all the years that he has been affiliated with the Association.”

COMMUNITY SERVICE AWARD



“Community Service Award recipient, **Barbara Palmer**, was my greatest contribution to SCAOR. I solicited her involvement on the Local Government Relations committee and she has been a tremendous asset to the Association ever since. She is an excellent solution based communicator. She excels at finding a middle-of-the-road compromise to achieve win-win propositions for the community and the REALTORS®.”

the standing ovation Philip Tedesco, SCAOR Chief Executive Officer, received when he was introduced at the beginning of the event, State Assemblyman, John Laird, co-presenting Barbara Palmer, LGR Chair, the Community Service Award, Real Estate Commissioner Jeff Davi helping to present Suzy Yost her REALTOR® of the Year award, a two page written acceptance speech from out-of-state Lifetime Achievement winner, Frank Morris being read by friend Jim Lee, Coldwell Banker, trying to summarize the

lengthy missive, and a “totally moved and shocked” Jeff McCormac who said that if he had known he was going to win the Affiliate of the Year award he would have written one of his award winning acceptance speeches instead of just being able to give a short thanks.

Congratulations to all the newly installed Officers and Directors and we wish you success in steering the Santa Cruz Association of REALTORS® through another wonderful year!



Left: Emcee, Robert Bailey and Sandy Kaplan enjoy the evening; Center: Naomi Shibata, REIL, and past SCAOR president, Bobbie Nelson share a warm moment; Right: Joe Ganeff and Loree Doan, event organizer, network during cocktail time.

First-of-its-kind Event in Santa Cruz County!

**Sponsorships Being Sought!
Exhibitors Welcome***

Presented by:



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*Exhibitor registration will be available at the end of February.

April 21st at Cabrillo College
in Santa Cruz from 10-4 pm

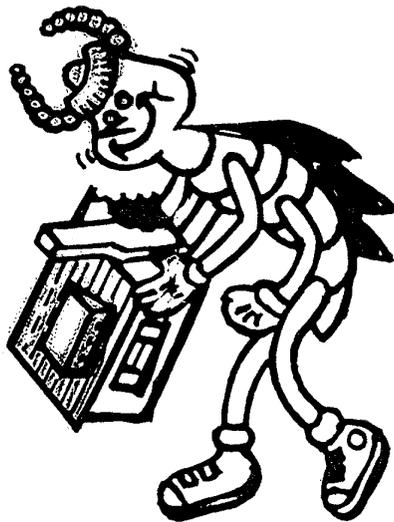
- Educational Seminars for Buyers & Sellers, Investors
- Many seminars in Spanish
- Exhibitor Tables and more!

Contact us now for more information. Sponsorships are limited!
Julie Ziemelis, Marketing Director at SCAOR at (831) 464-2000 or julie@scaor.org,
or Janée Del Colletti, Santa Cruz Mortgage at (831) 688-6802

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Message from the Chair



Janée Del Colletti
2007 SCAORHF Chair
Santa Cruz Mortgage
(831) 462-5575
jdelcolletti@santacruz
mortgage.com

I am proud and excited to share that the Housing Foundation is starting out 2007 with great success! First of all, thanks to **Mark Millenacker**, Chair of the Planned Giving Committee, our Planned Giving Workshop has been approved by the DRE for 1 CE credit in Consumer Protection. This approval took a lot of effort and time on the part of Mark and our Director of Education, **Karen Kirwan**. We are truly grateful!

Secondly, we held an "All Committee" meeting in January. We brought all the committees together in order to for-

mally establish our goals and create a common plan in order to achieve those goals. We also wanted to open up the doors for anyone interested in hearing about what the Housing Foundation is and how they can get involved. Thank you to everyone who attended.

We have also begun to plan our upcoming **Santa Cruz County Housing Expo** event to be held at Cabrillo College on April 21st. This is a wonderful opportunity to reach out to our community to offer information and education on all aspects of the home buying process from first time buyers, to sellers to investors. For more information, see article on page 3 of this issue. We are also looking for sponsorships! Please contact Julie Ziemelis at SCAOR at (831) 464-2000 or julie@scaor.org. You can also contact me at jdelcolletti@santacruzmortgage.com.

Lastly, we have already helped two

families get into homes in January! We distributed two \$5000 Closing Cost Grants to the **Ledesma** and **Barton** families. We are very happy for them and thank you to all who came to the "A Taste of Santa Cruz" event to raise \$63,000 to enrich these funds for low-income families to purchase a home.

The Housing Foundation received a large, front-page news story in the Business section of the Santa Cruz Sentinel on Sunday, January 28th. We hope you saw it! We hope to gain even more publicity with the Housing Expo.

We look forward to continuing to reach out to the members of our wonderful Santa Cruz County through education and Closing Cost Grants! I urge you to consider joining our team either through donations of time or funds, or through our Escrow Contribution program to continue to "Bridge the Gap to Homeownership!"

The SCAOR Housing Foundation was well represented at the Installation Event



*Janée Del Colletti
and SCAOR
President,
Sandy Kaplan.*



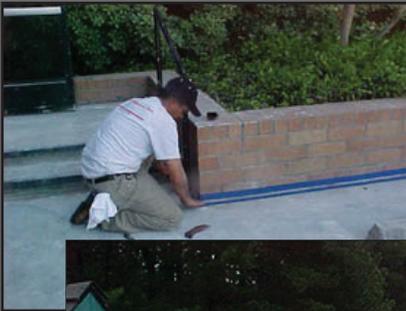
*Past Foundation
Chair,
Greg Turnquist
and Foundation
Trustee Jeff
McCormac.*

Correction

Tom Karn, Karn Mortgage, was inadvertently omitted from the 2007 Housing Foundation's Board of Trustees list in the January newsletter. We apologize for this error.

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Local Government Relations Update

Get informed, vote, and be part of the solution



Barbara Palmer
Chair, LGR
(831) 688-7434
bpalmer@baileyproperties.com

This year our Local Government Relations Committee will deliver to you an update on how our elected officials at the Santa Cruz Board of Supervisors vote on issues that concern REALTORS®. We hope you will find the information interesting enough to vote in the next election. Our role will be to keep you informed so that you can draw your own opinion of who would best represent you. If you are not registered to vote, now would be a good time.

The County Board of Supervisors wields much power. They make decisions that not only affect private property rights, but your ability to do business as a REALTOR®. One of the most basic ways to become an active member of your community is by voting. You have

One of the most basic ways to become an active member of your community is by voting.

Congressman Farr meets with SCAOR

By Barbara Palmer

On December 18th, Congressman Sam Farr met with the Santa Cruz AOR LGR committee. The purpose of the meeting was to gather input for consideration for legislation for 2007. Congressman Farr shared the information about what Congress would try to accomplish in the first 100 hours of the session. Present at the meeting were members of the local LGR committee and members of the Executive committee of SCAOR.

Congressman Sam Farr has been a friend to real estate. He takes private

plenty of time to begin to understand the issues, so at our next election you can be a part of the solution to the challenges by putting the right people in office.

All Local Government Relations Committee meetings are open to members of the Santa Cruz and Watsonville Associations of REALTORS®. Come to our next meeting, Feb. 16 at 8:30a.m. to hear an update about Washington, D.C.

The Federal Political Contacts of the National Association of REALTORS® held a meeting in Washington D.C. January 9–11th to prioritize REALTORS® issues for 2007. The executive committee and lobbyists for NAR will discuss these issues. There were 33 issues, at the top of the list:

- Insurance: Homeowners, Flood, Natural Hazard and Health Insurance
- Tax Issues: Interest Deductibility, among others
- Housing Affordability
- Banks entering the Real Estate business

If you wish to have more information on these issues, and others concerning REALTORS®, go to realtor.org. You can sign up for newsletters to keep you informed at realtor.org and car.org.

property rights very seriously. In 2005 and 2006 he has consistently voted in favor of REALTOR® issues. One outcome of this meeting was that Congressman Farr has offered the membership of SCAOR a tour for up to 45 people of Fort Ord to view the new housing and learn how he worked with the developer to create workforce housing there. This tour is planned for March or April. If you are interested in participating on this tour, please contact me at bpalmer@baileyproperties.com or Bailey Properties at (831) 688-7434.

Legislative Watch

NAR UPDATE

New leadership for House Financial Services Committee

Pat Vredevoogd Combs, president of the NAR, congratulated Representatives Barney Frank (D-Mass.) and Spencer Bachus (R-Ala.) on their leadership assignments to the House Financial Services Committee.

“NAR looks forward to working with Chairman Frank and Ranking Member Bachus on housing and homeownership issues in the 110th Congress. Both Mr. Frank and Mr. Bachus have a long history of support and understanding of our public policy issues. Their support, concern and action regarding the housing problems in the Gulf region after hurricane Katrina’s devastation is just one of the many ways they have dem-

onstrated their understanding not only of the real estate industry but also the important role of housing to people’s sense of community.”

“We are particularly pleased that Chairman Frank has made affordable housing a top priority for the committee. Both the chairman and the ranking member have shown a keen interest in and understanding of the importance of a vibrant housing market to the economy and to local communities. As America’s leading advocate for homeownership, affordable housing and private property rights, NAR and its 1.3 million members are pleased to welcome Representatives Frank and Bachus to their leadership positions.”

NAR survey reveals heavy tech investment by REALTORS®

The number of REALTORS® with websites has increased 129 percent over the past five years, and many of the sites display property listings, according to a new survey by NAR.

The 2006 REALTORS® Technology Survey, conducted by NAR’s Center for REALTORS® Technology, reveals that the internet ranks third in generating leads, behind referrals and repeat clients, and ahead of community involvement. The survey also shows that there is a clear connection between technology spending and internet-generated leads, and that getting leads from the Internet continues to grow.

REALTORS® have invested heavily in Internet technology and security,

through Multiple Listing Systems and individually, in the past several years. For example, the survey showed that thus far in 2006, 56 percent of agents spent more than \$1,000 apiece on technology and that 30 percent spent \$2,000 or more. In addition, 16 percent of agents and 28 percent of brokers are now spending more than \$1,000 annually on their websites. REALTORS® with personal business websites—not including an area on a broker’s site—was 71 percent in 2006, compared to 31 percent in 2002, showing a jump of 129 percent. Underlining the need for REALTORS® to continue to update their technology skills in order to improve

Continued page 13

YouTube.com hosts real estate section Upload your listings for free!

The hot new video site, YouTube, accessed by millions of web users, has a new real estate section. You can upload videos of your listing for free to the site. An agent quoted in a recent Mercury News article said she got her winning bid from a buyer who saw the home posted on YouTube. Hey, it’s free and it’s a creative marketing tool!

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Legislative Watch, cont'd.

REALTORS® invest in hi-tech

Continued from page 11

their business, Leslie Appleton-Young told brokers and managers in October, they need to stress to their agents that a quick response time and good communication with clients are essential in order to be a successful REALTOR® these days.

REALTORS® need to continue to become more internet and technology savvy, check their e-mail quickly and regularly, put up a website, get gadgets like the Treo and Blackberry, in order to respond to clients quickly, Appleton-Young said, because seven out of 10 prospective home buyers use the internet.

2006 NAR President Thomas M. Stevens said, "REALTORS® have invested huge amounts of resources in technology to make accurate information available on secure sites, thus bringing added value to the transaction. All this information is available to consumers, free of charge, 24 hours a day."

The survey also showed that the amount of investment in websites has a direct relationship to the number of leads coming from the internet. Thus, 40 percent of those who spent more than \$5,000 on their website showed that more than 60 percent of their leads come from the internet.

A recent C.A.R. survey showed most buyers respond to the first person who responds to their e-mail. Of internet buyers, 62 percent expect a faster response; 44 percent expect REALTORS® to respond to their e-mail in 30 minutes or less.

"The speed of the response time is important," Appleton-Young emphasized.

The survey shows this. In a surprising change from past surveys and findings, over half of the survey respondents indicated that it takes them less than two hours to respond to an internet inquiry, and only two percent indicated that it took them more than a day to respond. That compares with a 2004 survey showing that only 27 percent of practitioners responded within eight hours to an online inquiry and 46 percent of inquiries received no responses.

C.A.R. LEGAL UPDATE

New laws in 2007 affecting real estate

What follows is a summary of laws affecting real estate that took effect as of January 1, 2007. The first part of this summary may be found in December's Legislative Watch Newsletter. Additional laws will be listed in a final summary in next month's Newsletter.

AB 2100: Common Interest Developments and Homeowners' Associations

HOA Disclosures This new law amends the Davis-Stirling Act to require additional reporting on reserves for a common interest development, and to extend disclosures for self-dealing by homeowner associations (HOAs). Specifically, this law requires (1) the pro-forma operating budget to include any deficiency in reserve funding on a per unit basis; (2) a statement of the HOA when the HOA defers or decides not to repair/replace major components; (3) a statement of any outstanding loans by the HOA; (4) a reserve funding plan indicating how the HOA will fund any deficiencies in reserve funding; (5) distribution of the reserve funding plan to all members.

Furthermore, this law slightly revises the disclosure form regarding assessments and reserve funding. Finally, this bill also provides that certain disclosures and voting rules be followed when a HOA is dealing with contracts between the HOA and a board member (or an entity controlled by board member or an entity in which a board member has material financial interest), regardless of whether the HOA is a corporation. (Formerly, these rules for disclosures and voting applied only to HOAs which were corporations).

The provisions of this new law become effective Jan. 1, 2007, except for the distribution of the reserve funding plan, which becomes effective Jan. 1, 2009.

AB 2861: Lead-Based Paint Violations

This new law increases the penalty for repeat violations of lead-based paint hazard laws. Specifically, any violation after the first would become a misdemeanor with a fine of up to \$5,000 and/or six months imprisonment.

Under current law, local enforcement

agencies can issue a cease and desist order to the owner when there is a lead hazard created by an "activity" at the premises. A violation of this order is an infraction which is punishable by a fine of up to \$1,000. Under the new law, the second or any subsequent violation would be a misdemeanor which is punishable by a fine not to exceed \$5,000, or by imprisonment in county jail for up to six (6) months, or both.

This law which amends California Health & Safety Code § 105256 becomes effective on January 1, 2007.

SB 841: Firebreaks for State Responsibility Areas

Existing law requires a person that owns, leases, controls, operates, or maintains any building or structure in, upon, or adjoining any mountainous area or forest-covered lands, brush lands, or grass-covered lands, or any land that is covered with flammable material, to maintain around and adjacent to the building or structure a firebreak of at least 30 feet.

This new law, which is applicable to state responsibility area lands under the authority of the Department of Forestry and Fire Protection, authorizes a state or local fire official, at his or her discretion, to permit an owner of property to construct a firebreak or implement appropriate vegetation management techniques, to ensure that defensible space is adequate for the protection of a hospital, adult residential care facility, school, aboveground storage tank, hazardous materials facility, or similar facility on the property. This law authorizes the firebreak to be for a radius of up to 300 feet from the facility, or to the property line, whichever distance is shorter.

This law, which goes into effect January 1, 2007, adds Section 4291.3 to the Public Resources Code.

AB 2800: Anti-discrimination Provisions in Statutes Changed to Conform to Cal Fair Employment and Housing Act

This law modifies various California statutes relating to non-discrimination in housing to conform with the California Fair Employment and Housing Act.

Specifically, provisions of existing law (including California Business & Professions § 10177) which prohibit discrimination on the basis of race, color, sex, religion or the marital status of a person are expanded to include national origin, ancestry, familial status, disability or sexual orientation.

Currently, various provisions of state law prohibit discrimination in housing, including real estate licensure, mortgage lending, club membership, development projects, and community redevelopment. Under current law, these provisions prohibit discrimination on the basis of:

- (1) race;
- (2) color;
- (3) gender;
- (4) religion; or
- (5) marital status.

Under the new law, the following bases will be added so that these provisions comply with the Fair Employment and Housing Act:

- (6) national origin;
- (7) ancestry;
- (8) familial status;
- (9) disability; and
- (10) sexual orientation.

This law amends California Business & Professions Code §§ 10177 and 23428.20, amends California Civil Code §§ 782, 782.5, 798.20 and 800.25, amends California Government Code § 65008, and amends California Health & Safety Code §§ 33050, 33435, 33436, 33724, 33769, 35811, 37630, 37923, 50955 and 51602.

This new law becomes effective on January 1, 2007.

AB 2624: Non-Judicial Foreclosures (By HOAs and Others)

This new law modifies various provisions relating to a non-judicial foreclosure of a unit in a common-interest development by the homeowners' association (HOA). This law makes minor changes to whom notice must be given, information in the notice of sale, fees that a trustee under a power of sale can charge, what is privileged communication during the foreclosure, who can

Continued page 14

C.A.R.—New laws

Continued from page 13

conduct the foreclosure sale, and information on the certificate of sale when a foreclosure sale is completed. Some of these provisions also apply to other non-judicial foreclosures.

Currently, the Davis-Stirling Act defines and regulates common interest developments. Under those rules, the HOA can levy assessments in order to fulfill its obligations to manage these developments. When an owner of a separate interest does not make payments, then the HOA can record a notice of delinquent assessment and follow other procedures to create a lien on the owner's interest. In cases where the delinquent special and regular assessments exceed \$1800 and are over one year past due, the HOA can go through non-judicial foreclosure (sale by a trustee) in order to collect on those liens.

The new law makes several minor changes to the HOA non-judicial foreclosure process:

(1) **FEES OF TRUSTEE** – The trustee can charge as part of the non-judicial foreclosure the cost of service of either a notice of default or the decision of the HOA to foreclose on an owner;

(2) **PERSON SERVED NOTICE OF DEFAULT** – The notice of default can be served to the owner's legal representative which is the owner according to association records, unless previously notified in writing to the HOA;

(3) **NOTICE OF RIGHT OF REDEMPTION IN NOTICE OF SALE** – The notice of sale must include a statement that the property is being sold subject to a ninety day right of redemption.

In addition, the law makes the following modifications to all non-judicial foreclosures:

(4) **PRIVILEGED COMMUNICATIONS** – Performing the functions and procedures necessary to the sale will constitute privileged communication (in addition to the mailing, publication, and delivery of a notice which are already privileged communication);

(5) **AUTHORIZED AGENT TO CONDUCT SALE** – An authorized agent of the trustee (in addition to the attorney for the trustee) can conduct the sale and auction of the property;

(6) **INFORMATION IN CERTIFICATE OF SALE** – The information contained in the certificate of sale (subject to a right of redemption) shall include some additional information about the sale terms.

This law which amends California Civil Code §§ 882.020, 1367.1, 1367.4, 2924 and 2924a, and amends California Code of Civil Procedure §§ 729.040, 729.050, 729.070 and 729.080 becomes effective on January 1, 2007.

AB 790: Falsely Claiming to be a REALTOR®

This new law strengthens prohibitions against real estate agents from falsely claiming membership in trade organizations or falsely claiming to have special designations or certifications. Generally, this law prohibits knowingly authorizing, directing, conniving at or aiding in the publication, advertisement or distribution of any material false statement or representation concerning a designation or a certification, including trade organization membership. The Real Estate Commissioner is authorized to suspend or revoke a real estate license for this violation.

Currently, the law provides that willful misuse of trade names, including "REALTOR®", are subject to discipline by the Real Estate Commissioner by revoking, suspending or denying a license. The new law strengthens the law on what is prohibited. The Commissioner may revoke, suspend or deny a license if anyone **KNOWINGLY**:

- (1) authorized;
- (2) directed;
- (3) connived at; or
- (4) aided in the publication, advertisement, distribution, or circulation of any material false statement or representation concerning his or her:
 - (A) designation or certification of special education;
 - (B) credential; or
 - (C) trade organization membership.

This law which amends California Business & Professions Code § 10177 becomes effective on January 1, 2007.

SB 1609: Reverse Mortgages

This new law provides protection to consumers who obtain reverse mortgages. This law prohibits certain self-dealing activities by companies providing reverse mortgages, requires certain additional disclosures for reverse mortgages, and also requires a translation of the contract for a reverse mortgage to the

language in which primarily negotiated.

This law requires lenders and mortgage brokers to perform certain acts, and also prohibits certain practices when selling reverse mortgages:

(1) **PROHIBITS** requiring the purchase of an annuity as condition for the reverse mortgage;

(2) **PROHIBITS** offering an annuity or referring the borrower to another for an annuity prior to loan closing or before the end of buyer's right to rescind;

(3) **REQUIRES** referring the borrower to housing counseling agency;

(4) **PROHIBITS** accepting a full application for a reverse mortgage before the borrower receives housing counseling;

(5) **MODIFIES** the disclosure notice;

(6) **REQUIRES** the lender to provide a list of independent loan counselors;

(7) **REQUIRES** the contract to be translated into Spanish, Chinese, Tagalog, Vietnamese, or Korean if the reverse mortgage is primarily negotiated in that language.

The provisions of this new law become effective on January 1, 2007.

Prop 1C (SB 1689): Bonds to Fund Housing and Development Programs

Prop 1C authorizes the state of California to sell \$2.85 billion of bonds to fund thirteen housing and development programs (some existing). These programs include four main areas: development programs (infrastructure, denser housing in transportation corridors, parks); homeownership programs; multi-family housing programs (promoting new projects for low-income households); and other housing programs (farm worker housing, pilot programs for new methods to build housing cheaply, homeless shelters).

This new law provides bonds to provide funds for various housing and development programs. The following are new programs created by Prop 1C:

(1) **DEVELOPMENT IN URBAN AREAS** - \$850M for grants to facilitate urban infill development, including parks, sewers, water, transportation and environmental cleanup;

(2) **DEVELOPMENT NEAR PUBLIC TRANSPORTATION** - \$300M for grants and loans to local government

and developers to encourage more dense development near public transportation;

(3) **PARKS** - \$200M for grants for parks throughout California; and

(4) **PILOT PROGRAMS** - \$100M in grants and loans for pilot projects to develop housing at reduced costs.

In addition, Prop 1C provides additional funding for the following existing programs:

(1) **HOME OWNERSHIP FOR LOW INCOME HOUSEHOLDS** - \$290M in various home ownership programs for low-income households;

(2) **DOWN PAYMENT ASSISTANCE** - \$200M in deferred low-interest loans for up to 6% of the home purchase price for first-time low-income or moderate-income home buyers;

(3) **AFFORDABLE HOUSING** - \$125M in grants to local governments which reduce barriers to affordable housing (funds to be used for home buyer assistance);

(4) **SELF-HELP CONSTRUCTION** - \$10M in grants to organizations which assist low-income and moderate-income households in building or renovating their own home;

(5) **MULTI-FAMILY HOUSING** - \$345M in low-interest loans for housing developments for low-income renters;

(6) **SUPPORTIVE HOUSING** - \$195M in low-interest loans for housing projects which also provide health and social services to low-income renters;

(7) **HOMELESS YOUTH** - \$50M in low-interest loans for housing projects providing housing for homeless young people;

(8) **FARM WORKER HOUSING** - \$135M in low-interest loans and grants for developing housing for farm workers; and

(9) **HOMELESS SHELTERS** - \$50M in grants for developing homeless shelters.

This new law adds California Health & Safety Code §§ 53540 through 53558 and goes into effect on January 1, 2007. (This was passed as a ballot measure on November 7, 2006.)

If you have any questions or need additional information regarding these newly enacted laws, please contact your Government Affairs staff at SCAOR for more details.

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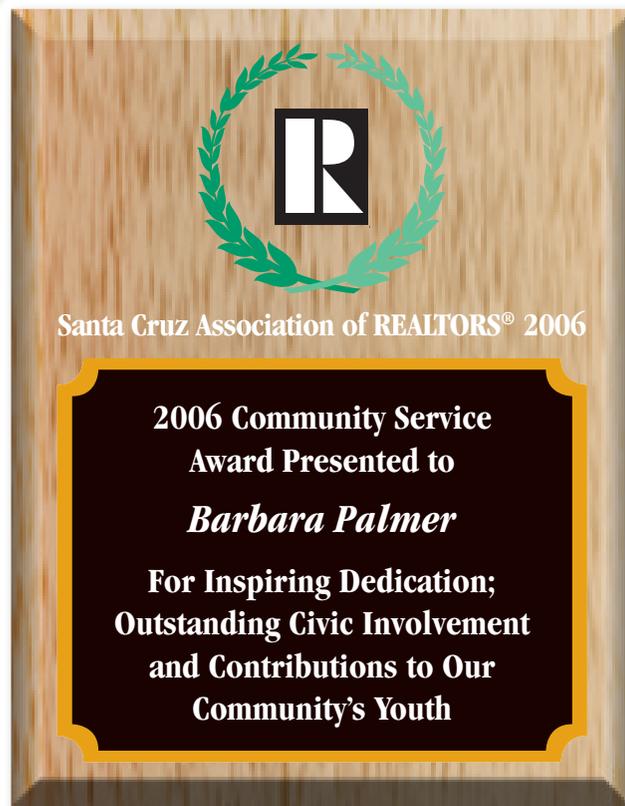
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