



**SANTA CRUZ ASSOCIATION OF REALTORS®**  
Creating Better REALTORS®

# inside REAL ESTATE

Santa Cruz County's  
Real Estate News  
Source

**MORE  
SAFETY  
TIPS:  
PAGE 11**

## Inside this issue

**President's Message:** ..... 3  
*Christa recommends a darn good summer read!*

**Legislative Watch** ..... 4  
*—Lot Legality Enforcement*  
*—Foreclosure help at DRE site*  
*—Sign Rules*

**MLS: Launch of Strong Authentication slated for September** ..... 6

**Escrow Contribution FAQ** ..... 6

**Affiliates** ..... 7  
*Ganefff gives us: Golf thank-yous; "A Taste of Santa Cruz"; going green and membership update*

**No More Tents!**..... 7  
*GreenTeam Environmental Group brings us an environmentally safe way to treat homes for pests and mold*

**What's new in our store?**..... 8

**Housing Foundation: Grant-giving, Guitar playing, and Linda Hofer, Angel Investor**..... 9

**Gov Hutchison—save the date!** ..... 9



**REALTOR® Emeritus,  
Jim Reding** . . . . . 11

**Sip of Summer pix!!!**..... 13, 14

## REALTOR® SAFETY WEEK

September 14–20, 2008 has been marked as the sixth annual REALTOR® Safety Week so please make plans to promote safety in your office's this September. The National Association of REALTORS® provides resources for yourself, your clients and your colleagues about potential risks that occur in showing property.

Every day REALTORS® put themselves at risk by welcoming strangers into a home, getting in a car with someone they don't know and have no "safety" plan in effect.

These everyday occurrences have potential to turn into a nightmare if you don't understand or follow the basic tenets of personal, professional and client safety.

### BASIC SAFETY TIPS:

**REMINDE YOUR CLIENTS** that strangers will be walking through their home during showings or open houses. Tell them to hide any valuables in a safe place. This includes any items they not initially think would attract interest, like prescription medications or alcohol or information that could be used for identity theft.

At an open house, **BE ALERT** to the pattern of visitors' arrivals, especially near the end of showing hours. In some areas, a group of thieves will show up together near the end of the open house and while a string of "potential buyers" distracts the REALTOR®, the rest of the group walks through the houses, stealing any valuables they come across.

When you leave the client's property, whether after an open house or a standard showing, make sure that all the doors and windows are locked.

**KEEP IN TOUCH** Always let someone know where you are going: leave the name and phone number of the client you are meeting and schedule a time for your office to call you to check in.

**CREATE A DISTRESS CODE** Establish a voice distress code, a secret word or phrase that is not commonly used but can be worked into any conversation for cases where you feel you are in danger.

**CHECK CELL PHONE RECEPTION** When showing a property, thick walls and/or remote locations may in-

terfere with mobile phone reception. Check in advance to be sure your phone is serviceable in the area in which you are showing a property.

**KEEP YOUR PHONE AT YOUR FINGERTIPS** Always carry a charged mobile phone. Clip your phone on and make it part of your everyday apparel.

Never work alone. If you encounter an individual while working late or alone in your office, indicate to that person that you are not alone. Say something like, "let me check with my supervisor to see whether she/he is able to see you."

For more tips on safety go to [www.realtor.org](http://www.realtor.org), go to the search area and type in Realtor Safety. A wealth of information will be at your finger tips.

*Sip of Summer*

*It was a beautiful day to enjoy a Sip of Summer, hosted at Bargetto Winery.*

*See pages 14 and 15 for more photos and a wrap up of the event.*

# WHY PARTNER WITH XCHANGE SOLUTIONS?

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Santa Cruz Association of REALTORS®



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## ADVERTISING INFORMATION

For advertising and deadline information, please contact SCAOR.

## INSIDE REAL ESTATE Newsletter

*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  
(831) 464-2000 • (831) 464-2881 (fax)

[www.scaor.org](http://www.scaor.org)

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[dixongraphics@comcast.net](mailto:dixongraphics@comcast.net)

## President's Message

### Federal Housing Bill: A good summer read!

**Christa Shanamam**

2008 Association President  
Coast Country Real Estate  
(831) 475-3525  
[christa@coastcountryhomes.com](mailto:christa@coastcountryhomes.com)

Dear members and friends,

As I write this, I am about to leave for vacation in Idaho, so I am taking a page from Garrison Keillor and the cast of "A Prairie Home Companion" when they go on hiatus, and leaving you with some good summer reading material. If you have seen this, please pass it on. This article, produced by C.A.R., is one of the best summaries that I have seen on the new Federal Housing Bill.

Enjoy!

#### FEDERAL HOUSING BILL NOW LAW, INCLUDING FIRPTA FIX

This week, President Bush signed into law the Housing and Economic Recovery Act of 2008. This sweeping legislation primarily seeks to protect homeowners from foreclosure and declining home prices, and to stabilize the mortgage industry. Major provisions of the new law affecting the real estate practice are as follows:

#### SELLER NEED NOT REVEAL SSN TO BUYER UNDER FIRPTA

Effective immediately, sellers are no longer required to provide to their buyers the Seller's Affidavit of Nonforeign Status (C.A.R. Form AS), which includes the sellers' social security numbers, under the Foreign Investment in Real Property Tax Act (FIRPTA). Instead, as another option, no federal withholding is required if the seller furnishes the Seller's Affidavit with his or her social security number to escrow or other qualified substitute as defined, who in turn, furnishes a statement to the buyer stating, under penalty of perjury, that it has the Seller's Affidavit in its possession. A "qualified substitute" is a person responsible for closing the transaction, such as an escrow company, title company or the buyer's agent, but not the seller's agent. The federal withholding law is now similar to California's Franchise Tax Board (FTB) policy which allows the escrow officer to remove the seller's tax ID number

from the buyer's copy of the California withholding tax statement, but not other copies.

#### \$300 BILLION IN FHA REFINANCING

Under the HOPE for Homeowners Program, 400,000 distressed homeowners can pay off their troubled mortgages and replace them with more affordable, FHA-insured loans. To qualify, a borrower's monthly payment on existing mortgage loans must be over 31% of his or her income as of March 1, 2008 (hence demonstrating the borrower's inability to afford the original loans). The original loans must have been originated before 2008, and secured by the borrower's principal residence (as well as only residence). Also to qualify, the borrower must satisfy FHA underwriting requirements for the new FHA-insured refinance loan.

The FHA refinance will be a fixed rate loan up to \$550,400 for at least 30 years, and will include charges for FHA insurance premiums. The maximum loan-to-

value ratio of the FHA refinance is 90% of the appraised value. If the refinance proceeds are insufficient to pay off the existing liens, the refinance will not go through unless the original lenders voluntarily agree to accept a short payoff as payment in full. Rules will be established to allow, among other things, equity sharing for the original junior lien-holders.

Upon obtaining the FHA refinance, the borrower must share with the FHA at least 50% of any equity realized through a subsequent sale or refinance. The FHA's share in equity will be based on a sliding scale of 100% of any equity realized within the first year of the FHA loan, 90% the second year, and so on, but not less than 50%. The HOPE for Homeowners Program shall be in effect from October 1, 2008 to September 30, 2011.

#### \$7,500 TAX CREDIT FOR FIRST-TIME HOMEBUYERS

With certain exceptions, a first-time homebuyer will receive a tax credit of 10% of the purchase price up to \$7,500 maximum, for the tax year in which the buyer purchases a principal residence. The tax credit, however, must be repaid like an interest-free loan in equal in-

*Continued, page 5, bottom right*

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Reverse Mortgage Specialist

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## Members Beware...

# Santa Cruz County Planning Dept. steps up enforcement of lot legality

By John Hickey  
Monterey Bay Properties

**R**EALTORS® should be aware of Santa Cruz County Planning Department's stepped up enforcement of lot legality determination. It has recently been made the starting point for the permit process for vacant land and essential for buyers, sellers and agents to understand when dealing with listing or purchasing land. Lot legality in terms of land division rules at the time a parcel was created is a state wide issue. That is because before more stringent rules for dividing parcels were in place, circa 1972, there was no requirement to file any documents concerning lot splits. However, even though no filing was required there were land division rules to be followed and in some cases they were not. Due to the history of the issue, almost all problems concerning lot legality occur with lots created prior to the new minor land division rule of 1972.

The initial process with the County is simple. One of the planning staff will review the information concerning the subject parcel on the planning department's computer system. The planning department staff is instructed to take no more than 30 minutes to review the information and make one of two findings. Either lot legality has been determined or lot legality has not been determined. If you, or your clients, find yourself in the later category this is where the process gets more costly and involved. At this point the Planning department will give you a notice that states they will research lot legality for you at the rate of \$140/hour and that they require an approximate \$3,600

retainer to work against before they get started. Note that the payment of this fee does not guarantee that the lot will be ultimately deemed legal and the process could take in excess of six months. It could be worthwhile to consult with a land use planner who has experience with this issue and who may be able to do some of the research. However, bear in mind that the County Planning Department will not accept the findings of a land use planner and will insist on doing their own research.

Determining the legality of a parcel in the eyes of the County Planning Department is going to become a necessary part of a vacant land transaction. It will become incumbent upon the seller and listing agent during their preparation to sell vacant land to obtain the lot legality determination. Or the buyer and their agent must complete it as part of their due diligence in order to avoid tremendous liability. Dre Website Offers Help for Homeowners Facing Foreclosure

## DRE Website Offers Help for Homeowners Facing Foreclosure

### WORRIED ABOUT FORECLOSURE?

If you feel like you may be in danger of facing foreclosure, the time to call 888-995-HOPETM is now—Homeowner's HOPETM, a counseling service provided by the Homeownership Preservation Foundation, can work with you to find a solution. The sooner you call, the sooner you can regain your peace

of mind. Remember, you're not alone. Millions of people across the United States have trouble with their mortgage every year. Since 2002, our counselors have provided advice and education to more than 300,000 homeowners.

### WE CAN HELP

Through our 888-995-HOPETM hotline, the Homeownership Preservation Foundation has a single mission: to help homeowners avoid foreclosure. We are an independent nonprofit that provides HUD-approved counselors dedicated to helping homeowners.

The help we offer is free.

Our counselors are experts in foreclosure prevention and trained to set up a plan of action designed just for you and your situation. When you talk to us, you won't be judged and you won't pay a dime. That's because we don't just offer general advice—we help you take action. Counselors will arm you with education and support that assists you in overcoming immediate financial issues... at no cost to you.

## Signage Reminder

### REAL ESTATE SIGN GUIDELINES

Signs are never allowed in public right-of-ways, sidewalks, streets, gutters, alleys. Never obstruct any type of traffic. Never allow a sign to be a safety hazard!

### COUNTY

- For Sale Sign on the property offered is allowed
- No Directional signs are allowed
- Open House signs during the day of open house, or weekend of the open house are allowed (leave up no more than 72 hours)
- Pick up confiscated signs at County

Maintenance Yard at 2700 Brommer.

- Redemption fees for misplaced signs: \$45.
- Questions regarding signs confiscated and reporting violations call (831) 477-3999. Questions about policy, call John Swenson at (831) 454-2160.

### CAPITOLA

- For Sale Sign on property offered is allowed
- One Open House sign placed either on the property for sale, OR placed on other private property with consent of owner
- No directional signs
- Signs can be picked up at the corporation yard: 430 Kennedy Dr. You may have to pay a fee. Misplaced signs are picked up by Capitola Police when spotted.
- Questions for Capitola: (831) 475-7300

### SCOTTSVALLEY

- One For Sale Sign on the property offered
- Up to 4 Open House/Directional signs on weekends, holidays, and open house caravan days (Thursdays), while the property is available for viewing
- Signs can be redeemed by paying \$36 per sign at SV Public Works Dept. located at 701 Lundy Lane. They are destroyed after 15 days.
- Misplaced signs are picked by police or public works staff when complaints are received, and occasionally staff will make a sweep of the area and pick up signs when the rules are ignored.
- Questions/complaints: (831) 440-5630 (the Planning Dept.)

# Santa Cruz's #1 Team of REALTORS® adds a new Team Player...



## ANTHONY TOSCHI

My name is Anthony Toschi, and I am new to Bailey Properties. While growing up in the Central Valley, I attended school at California State University, Fresno, and graduated with a Bachelor of Science degree in Business Administration with an emphasis in Real Estate and Urban Land Economics. During my college attendance I also worked in construction doing framing and remodeling of residential properties. Upon graduation, I decided to expand my experience and knowledge within the field of Real Estate by working as a Commercial Real Estate Appraiser. My experience also includes working for a family owned contracting company under which I am a licensed general building contractor.

My background in construction only helps to support my education and together they make me a highly qualified Real Estate professional. Being able to look at a property with a contractor's eye and a head for business gives me an edge over the average Realtor. I am energetic and enthusiastic about the properties and people in our community and I look forward to working with you!

*#1 in 2007 for Total Sales, Residential Sales and Sales Representing Buyers*  
(in Santa Cruz County as reported by MLS Listings Inc and Trendgraphix)

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**SANTA CRUZ**  
831.426.4100

**SCOTT'S VALLEY**  
831.438.2300

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831.722.8874

Bailey Property Management  
831.688.7009

Bailey Mortgage, a Chase Affiliate  
831.689.8500

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## Legislative Watch, cont'd.

*Continued from page 4*

### SANTA CRUZ

- One For Sale Sign on the property offered
- Up to three Open House signs, offsite only on private property with consent of owner
- When a complaint is received misplaced signs are confiscated; after one warning fees may be assessed. Pick up signs at SC City Corporate Yard, 1125 River Street.

• Questions—Planning Dept. Eastside: (831) 420-5111; Westside: (831) 420-5258

### WATSONVILLE

- For sale sign on property offered is allowed
- No Directional signs are allowed
- Open House signs are not permitted, however current practice is to allow up

to four open house signs for less than 24hrs, and placed on private property with consent of owner

- To recover signs collected by the city bring \$76.27 per sign to 320 Harvest Drive in Watsonville. Cash, check, credit cards accepted. Signs are destroyed after 30 days. Call (831) 768-3133 for questions.

- Signs not in compliance are reported to 768-3133. City staff picks up violations on a regular basis.

### CALTRANS

- No signs in their jurisdiction allowed. Signs picked up go to 195 Capitola Rd. Ext., and are destroyed after 30 days. They can charge \$350 per day, but do not charge at this time. (831) 476-1351

## Pres. Msg., cont'd.

*Continued from page 3*

stallments over the next 15 years or in full if the homebuyer sells the property for a gain. A buyer qualifies as a "first-time" homebuyer as long as the buyer (and spouse if any) has not owned a principal residence in the U.S. for the last three years. The tax credit phases out for a taxpayer with a modified adjusted gross income over \$75,000 (or \$150,000 for joint returns). This tax credit is available for qualifying homes purchased from April 9, 2008 through June 30, 2009.

### FANNIE MAE, FREDDIE MAC, AND FHA REFORM

The new law permanently sets the conforming loan limit for FHA and government-sponsored enterprises (GSE) Fannie Mae and Freddie Mac at 115% of an area's median home price, not to exceed \$625,500. The new loan limits take effect after the current \$729,750 loan limit expires on December 31, 2008.

The new law also authorizes the Treasury Department to bail out Fannie Mae

and Freddie Mac if necessary by increasing their lines of credit or purchasing their stock. A new governmental agency, the Federal Housing Finance Agency, will be created to oversee GSE operations. Other FHA reform includes an increase in the minimum down payment requirement from 3% to 3.5%, and effective October 1, 2008, the elimination of seller-funded down payment assistance programs.

Some of the other provisions of the new Housing Act are, without limitation, \$4 billion in assistance to stabilize neighborhoods hurt by the foreclosure crisis, \$180 million for pre-foreclosure counseling, Home Equity Conversion Mortgage (HECM) reverse mortgage reform, assistance for veterans, and the creation of a nationwide loan originator licensing and registration system. The appropriate governmental agencies will establish new regulations as needed to carry out and enforce the new Housing Act.

**A REMINDER** The next Lender's Panel is September 5th at the Association. This is your opportunity to ask questions and get the latest news and updates from some of the top lenders in our area.

## MLS News Update

# Launch of Strong Authentication targeted for September



**M**LSListings will begin to ramp up communications regarding the new Strong Authentication effort in the next several weeks. A new 3-minute overview video will also be available for office meetings and training classes. You can view it at [http://bitcasta.v1.sjc1.bitgravity.com/reil/MLSM/SA/MLSM\\_StrongAut1\\_0808.html](http://bitcasta.v1.sjc1.bitgravity.com/reil/MLSM/SA/MLSM_StrongAut1_0808.html)

### NEW EAST BAY DATA ACCESS PROGRAM

For a six-month promotional period (July 2008 thru December 2008), Bay East MLS is offering Limited Access MLS Membership to MLSListings subscribers for a one-time access fee of \$50. This membership will allow real estate professionals to access the Paragon MLS system to search for East Bay listings. (Please note: This program will not allow listing input. If you'd like to enter listings, the current fee of \$50/listing applies.) No initiation fee will be charged.

Details and forms are found at [https://pro.mlslistings.com/info/east\\_bay\\_Access\\_program\\_0708.html](https://pro.mlslistings.com/info/east_bay_Access_program_0708.html).

(Log in to MLSListings Pro first.) If you have questions about this program, please contact Bay East at (925) 730-4079.

CCAR has also agreed to participate in the reciprocal access, and their forms will be available soon.

This program is designed to bridge the gap left when MLSAlliance was terminated.

### RULES COMMITTEE VOLUNTEERS NEEDED

Rules Committee Chairman J. R. Rouse is looking for volunteers to fill open positions on the Rules Committee for the remainder of the year. This committee is responsible for making rules-related recommendations to the Board of Directors. Rules committee members must be brokers with 3 years of real estate industry experience.

## The Escrow Contribution Program FAQ:

*Q: Who is responsible for initiating the Close of Escrow Contribution Program?*

*A:* The REALTORS® can either download a Demand Form from the website [scaor.org/hf/pdf/demandform.pdf](http://scaor.org/hf/pdf/demandform.pdf) or ask their brokers for a copy of the form. They then submit the form to the escrow officer sometime during the escrow period. Then the escrow officer simply removes the requested amount of the donation from the commission check and sends it to the Santa Cruz Association of REALTORS® Housing Foundation.

*Q: Do the title companies have the Demand Forms at their offices?*

*A:* The title companies MAY have the forms, however it is the REALTORS® responsibility to obtain a copy before the final closing process to ensure the funds are removed in a timely manner.

*Q: How will I know when my client receives the confirmation that I have contributed the donation in their name?*

*A:* When the Santa Cruz Association of REALTORS® Housing Foundation receives the contribu-

tion check from the title company, a thank you letter will be sent to the REALTOR® and at the same time a letter will be sent to the seller/buyer.

*Q: Will I receive a receipt for my contribution?*

*A:* The thank you letter the REALTOR® receives will include the amount of the contribution along with the tax ID number of the Santa Cruz Association of REALTORS® Housing Foundation. This letter will serve as your receipt that can be given to your tax accountant at the end of the year.

*Q: How much should I contribute?*

*A:* Many REALTORS® make \$50 contributions at every escrow closing. It's not much, but it adds up to a lot over time and if numerous REALTORS® make the time to remember the Housing Foundation at every close of escrow, we could make homeownership a reality for more potential homebuyers in Santa Cruz County. We also are more than happy to accept large one time donations, as well!

### NOW IS THE TIME TO INVEST IN REAL ESTATE!

Subscribe to the **INVESTORS EDGE** for information about current Foreclosures, Notices of Default, and Trustee Deeds (REOs) in your area of interest.

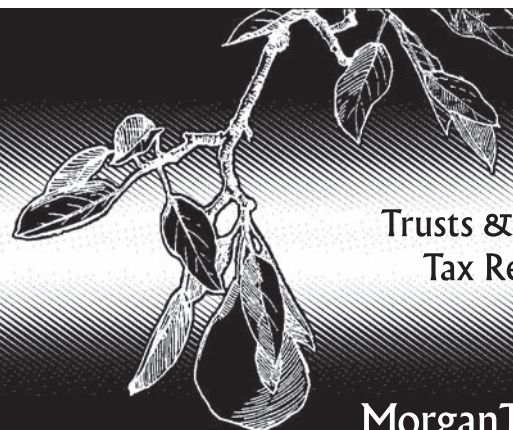
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## Affiliate Update

# Unsung heros...



**Joe Ganeff**  
2008 Affiliate Cmte. Chair  
XChange Solutions  
(831) 476-2506  
jganeff@1031.xsi.com

After reading the August issue of our newsletter (last month), a glaring omission came clearly into view: Nowhere in the paper did we thank the many individual volunteers who donated their time and effort to assure the successful operation of our Annual Charity Golf Tournament. I would like to express our sincere thanks and appreciation to these “behind-the-scenes” contributors:

*Steve Allen  
Anissa Attard  
Barbara Dimitruk  
Loree Doan  
Leslie Flint  
Vicki Garside  
Kathy Hartman  
Karen Kirwan  
Norma Milete  
Bobbie Nelson  
Shelly Paine  
Karen Schenk  
Dimitri Timm  
Greg Turnquist  
Sharolynn Ullestad  
Lori West*

### GOING, GOING, GREEN!

Don't forget, beginning this month, our SCAOR newsletter is now fortified with more eco-friendly 'green' in every serving, with 100% of your daily 'on-line value', so its easier than ever to find your favorite articles and keep abreast of the most current Association information.

Don't get left behind, support our efforts to “Green Our Globe,” and be sure to continue reading the newsletter, where all our archives are a mere click away!

While we're on the subject of green, one more green date to consider for your calendar is September 20th, when you can participate in the Santa Cruz County Annual Coastal Cleanup Day, the premier volunteer event for the marine environment everywhere around the world. There are both large and small ways you can become involved, find the one that's right for you here: [saveourshores.org/programs/marine-debris-program/annual-coastal-cleanup-day](http://saveourshores.org/programs/marine-debris-program/annual-coastal-cleanup-day)

### 4TH ANNUAL TASTE OF SANTA CRUZ

One of the most excellent marketing events for Affiliates and REALTORS® alike to showcase their business to the public and potential clients will be the 4th annual Taste Of Santa Cruz on November 13th. The ability to sponsor this event is short-lived, and food partners are lining up longer than a taxi line at the airport, so if you've been on the fence about participating, call Norma Milete at (831) 464-2000 to reserve your booth! Call now, only five booths remain!

### AFFILIATE MEMBERS

SCAOR currently has 134 Affiliate members, 27 of which are new in 2008, making up 90% of last years membership of 149. Not bad considering the market conditions over the same period have dropped by twice that number.

As always, if you know of someone who would like to join the affiliate membership, please refer them to myself at (831) 476-2506 or contact Norma at SCAOR at (831) 464-2000.

The Affiliate Committee meets the second Wednesday of every month at 8:30 am at the SCAOR offices, with many opportunities to participate

To become a member please contact Norma at SCAOR at (831) 464-2000.

## Affiliate Spotlight

# A “HOT” solution to your mold issues



### No More Tents!

*Chemical-free treatment utilizes clean, dry heat to treat homes, businesses (or any structure) for purposes of pest control, rapid structural drying and in-place mold remediation.*

**R**ichard Gray owned a traditional mold remediation company and felt the current way of doing it was too expensive, labor intensive, wasteful of the materials that needed to be thrown away, and not thorough enough. As you can perform a remediation job the old way and still fail a mold test.

He found the answer in the new technology of Indoor Environmental Pasteurization (IEP), and a new partner **Neel Perkins**, an acknowledged expert in the field. This chemical-free treatment utilizes clean, dry heat to treat homes, businesses (or any structure) for purposes of pest control, rapid structural drying and in-place mold remediation —greatly reducing the need (and high cost) of demolition and build-back. Pasteurization, normally associated with orange juice and milk, is a 150-year-old technology that works on a very basic principle—HEAT KILLS. GreenTeam Environmental Group was formed to

provide this service.

By gradually increasing a building's temperature to a sauna-like 150 degrees, target organisms such as mold, termites, beetles and bed bugs, viruses and bacteria are destroyed with no harm to the structure itself. Residents can leave in the morning and return in the evening with the job completed—without the cost or complications of moving out for several days or disturbing their neighbors. IEP is the only process that can provide certification of both mold and termite clearance for a home all in a single application.

We feel our service is green in every sense of the word. No chemicals, no pesticides or fumigants, reducing contribution to the waste stream, and we are local.

*Don Stanfield is your local representative for GreenTeam Environmental Group 1-888-297-8734 ext. 808.*

**RE Legal Matters**

# Lenders' use of addenda in post-foreclosure sales

By Lloyd Williams  
 Association Attorney  
 Bosso Williams Law Offices

A recent case in our office highlights some of the potential problems with lenders' Addenda that may be required to be attached to a Purchase Agreement for REO properties ("Property").

After receiving title to the Property (a residence) through the foreclosure sale, the lender, a national savings and loan association, listed the Property with a real estate agency the lender used for the sale of REO properties. Our client, represented by another real estate broker, made an offer to purchase the Property, using the CAR Residential Purchase Agreement, with a financing contingency and with escrow to close within 30 days. The client's agent received a nine-page Addendum from the listing agent, along with a two-page explanation of the process the lender requires for purchasing its REO properties. To the extent of any conflict between the Offer and the Addendum, and there were many, the terms of the Addendum expressly controlled.

The Addendum, among many other things, provided:

Real estate commissions would only be earned and payable upon the close of escrow, title having passed to the Buyer and the Seller having received its proceeds of sale;

The Property would be conveyed "as is occupied at the time of closing." Thus, if the property is occupied by a tenant or the debtor who lost the property through foreclosure, the problem of removing the occupant(s) will be the Buyer's.

Should the Seller default under the Agreement, Buyer shall not have a remedy of specific performance, to compel transfer of the Property to the Buyer, but shall be limited to a return of Buyer's money deposit.

er's money deposit.

The Seller had the unlimited right after entering into the Agreement to cancel the Agreement for any reason, in which case the Buyer waived the right to sue for specific performance and/or damages, and would only be entitled to the return of Buyer's money deposit.

One week before escrow was to close, the Buyer's agent was informed that the Seller had cancelled the sale, that another lending institution had taken title to the Property and listed it with another real estate office and, if the Buyer wished to purchase the Property, a new offer would have to be made through the new listing agent. Interestingly, the new listed price was less than the Purchase Price in the cancelled Purchase Agreement. Although a new offer was made, it was never responded to and, in checking the recordings, the Property has since been transferred to another bank as trustee for a mortgage loan trust. Whether our client's agent can reach someone to reopen negotiations to purchase the Property (assuming the client has desire to do so) is unknown at this time.

This case points out some of the uncertainties in dealing with REO properties and the need of Agents to carefully read any additional terms required by the lender/seller, usually in the form of an Addendum. Although you may not be able to negotiate away some of the more draconian provisions, e.g., absolute right to cancel, you will better serve your principal by explaining the potential risks, as the buyer may be spending money for inspections, appraisal fees and other costs, which may not be recoverable should the lender/seller cancel the Agreement.

## What's new at the SCAOR Service Center?

As a result of feedback from SCAOR members, the REALTOR® Service Center is now carrying some new items! All prices listed below are Member Prices. Keep the suggestions coming!



Supra Combination Lock  
\$30



LBX05PB Supra Push Button Lockbox — \$31.50



St. Joseph Statue  
\$10

### Stainless Steel "S" Hooks



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### Stainless Steel Spring Clips



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# Grant giving on the rise



**Jeff McCormac**  
 Housing Foundation Chair  
 (831) 465-4007 Tel  
 (831) 479-6901 Fax  
 jeff.mccormac@wellsfargo.com

At the event SCAOR Housing Foundation Charter Member **Linda Lynn** and husband **Dwight** donated \$500 to the Foundation. Thank you Linda and Dwight for the generous donation.

## ANOTHER RECORD YEAR FOR GRANTS

So we are in another record giving year with over \$75,000+ given out to over 18 individuals and families purchasing home in Santa Cruz County. With these record amounts given we really need help in our fundraising endeavors so if you have any ideas or would like to help please contact Elaine Della-Santina, myself or any of the Board of Trustees.

## “A TASTE OF SANTA CRUZ” VOLUNTEERS NEEDED!

We are also looking for volunteers to help with our signature fundraiser the “A Taste of Santa Cruz” which will be held on November 13 at the Cocoanut Grove Ballroom in Santa Cruz.

Well if you missed the **Sip of Summer** you missed a wonderful time. Thanks to the efforts of Elaine’s fundraising committee and particularly the hard work of Genie Lawless the event was both a ton of fun as well as profitable, netting over \$2,000 for the Housing Foundation. Also a big thank you to our event sponsors **Bargetto Winery** with a great location to throw a event and the edible delights of **Original Sin Desserts, Marini’s at the Beach, Michaels on Main and Culinary Delight Catering. Guitarist Jim Rosenberg** was also kind enough to donate his time and share his music with us.



*Jim Rosenberg, with wife, Janet, entertained the crowd with his talented guitar playing and singing.*



*As is evident from these candid shots of the crowd, it was a great turnout at the first annual “Sip of Summer.”*

# SCAOR HOUSING FOUNDATION’S Angel Investor

LINDA HOFER



**L**inda Hofer of Monterey Bay Properties is the Santa Cruz AOR Housing Foundation’s September Angel Investor.

The Escrow Contribution Program provides REALTORS® with an opportunity to provide much needed funds to help low income families bridge the gap to home ownership and have a

vehicle to give back to the community in which they serve.

We are fortunate and grateful to have Linda as an “Angel Investor” for the Foundation. Her efforts and funds have directly benefitted the Housing Foundation’s Grant program that has helped many families purchase homes in Santa Cruz County during the past three years. Thank you Linda!



## Save the Date! November 18, 2008

Gov Hutchinson,  
 C.A.R. Attorney

Legal Update and RPA

Watch for more information...

# September 2008

SUN.	MON.	TUES.	WED.	THURS.	FRI.	SAT.
	<b>1</b> Closed for Labor Day	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b> The Changing Mortgage Industry 10am-12pm	<b>6</b>
<b>7</b>	<b>8</b> Investment Real Estate 9am-1pm	<b>9</b> Strategic Planning 1:30pm	<b>10</b> Green Bag Lunch Radiant Heating 12-1:30pm	<b>11</b>	<b>12</b> 9:00 am Board of Directors Fiscal Fitness Class 10am-12pm	<b>13</b>
<b>14</b>	<b>15</b> Upshifting Lead Generation 10am-12pm	<b>16</b> "A Taste of Santa Cruz" Committee 2pm	<b>17</b> 8:30am Affiliate Cmte Housing Found. Fundraising 10am	<b>18</b>	<b>19</b> LGR 8:30am Disclosure Class 11:30am	<b>20</b>
<b>21</b>	<b>22</b> Housing Found. 2:30pm	<b>23</b>	<b>24</b> MLS Essentials 9:30am-11:30pm CMA 1:30-3pm	<b>25</b>	<b>26</b> Seller Strategies 10am-12pm	<b>27</b>
<b>28</b>	<b>29</b> Budget & Finance 9:00am	<b>30</b> Quadrennial Ethics 1-4:30pm	<b>Thursday, November 13: "A Taste of Santa Cruz"</b> Cocoanut Grove Ballroom, 5:30-9pm  Holiday Open House December 3, 4-6PM			

## New Members

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

### REALTOR® MEMBERS

**Bailey Properties, Inc**

Anthony Toschi  
Bayview Properties  
Ed "Carroll" Mincher  
Quinten Mincher

**Coldwell Banker Residential Brokerage**

Julia deDiego

**David Lyng Real Estate**

Kristy McKay  
Gary Matos

**Fireside Realty**

Brian Chester

**RCI Real Estate**

Mary Anne Hintermeister

**Robert Lilley, Broker**

Bob Lilley

**Silver Oaks Properties**

Rich Tancredi

**Tina Andreatta Insurance Services**

Tina Andreatta

**The Water Team Inc.**

Gregg Kirksey

### AFFILIATE MEMBERS

**Doors, Windows & More**

Bruce Kishler

**Green Team**

**Environmental Group**

Donald Stanfield

Morgan Taylor, Attorney at Law

**SAVE THESE DATES!**



**November 18, 2008**  
Gov Hutchinson,  
C.A.R. Attorney  
Legal Update and RPA

**Register now for the NAR Conference, to be held Nov. 7-10 in Orlando**

### PACIFIC HOME REVERSE MORTGAGE CENTER

The ultimate book on reverse mortgages is available at NO CHARGE. Do you have a senior friend or loved one that needs financial help? Call me today. This book will answer your questions.

**KATHY JACKSON-MORRIS**  
Reverse Mortgage Specialist  
Cell: 831-801-0947  
Office: 831-648-8080



CA Dept. of Real Estate Lic. #01254837

## Kathleen Richards

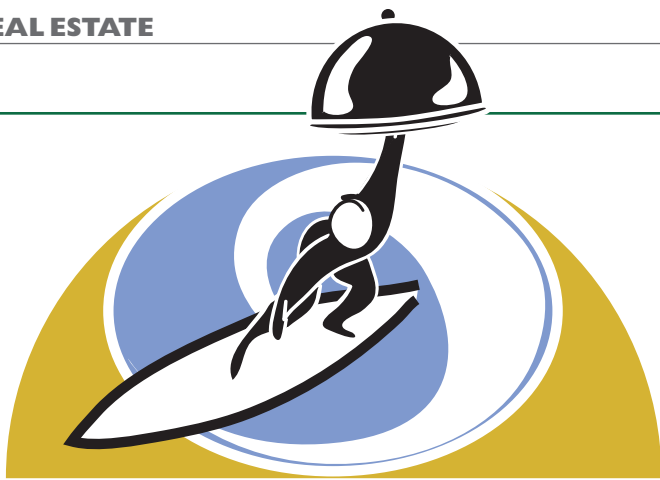
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## "A Taste of Santa Cruz"

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### Booth Sponsors

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Financial Strategies

First American Title

GL Crown Real Estate

Intero Real Estate

McNair Real Proper-  
ties/Ross Real Estate

Monterey Bay  
Properties

Morgan Stanley

Old Republic Title

Patelco Credit Union

Santa Cruz Title

### In-Kind Sponsor

Kelley Trousdale

## Congratulations to Jim Reding, REALTOR® Emeritus



Jim, along with his wife, display his award.



Norma Milete, SCAOR, pins the badge on Jim.

Our most recent REALTOR® Emeritus is Jim Reding, Landmark Properties. Jim was born and raised in San Jose, California. When Jim was sixteen years old he left high school after finishing the first half of his junior year. On his seventeenth birthday, with his father's signature, he joined the Navy. While in the Navy he received his GED. He has a Bachelor of Arts Degree from San Jose State College and a Master Degree from Stanford University. While in college he received a commission as a Sec-

ond Lieutenant in the Air Force Reserve. In the reserve forces, he attained the rank of Major. As a civilian, he taught school for twenty years and has been in the real estate investment business for over forty years. Jim is married and has five children and five grandchildren. Jim is the Author of the book "Twenty-Two Months" the untold story of a young sailor in the Pacific Theater of Operations during World War II. Congratulations and thank you Jim for your continued membership with SCAOR.

**MORE  
SAFETY  
TIPS!**

## REALTOR® SAFETY WEEK

Take two seconds when you arrive at your destination to check out potential dangers:

- Is there any questionable activity in the area?
- Are you parked in a well-lit, visible location?
- Can you be blocked in the driveway by a prospect's vehicle?

### BE PREPARED: PRE-PROGRAM!

- To best prepare for an emergency, pre-program important numbers into your cell phone.
- These may include your office, your

roadside assistance service or garage, and even 911

### TMI! (TOO MUCH INFORMATION!)

- When talking to clients and prospects, be friendly but still keep your personal information private. This means avoiding mention of where you live, your after-work or vacation plan, and similar details.

### PRACTICE CAR SAFETY.

- Keep roadside breakdown essentials in the trunk, including flares, a tire-inflation canister, basic hand tools, spare belts and hoses, water, a flashlight and a first-aid kit.

—Have your vehicle inspected regularly, keep it well maintained and learn how to change a flat tire.

### SHRED IT!

- Thoroughly shred all papers with personal information before you throw them away.
- Shred unwanted credit card applications and "convenience checks" that come in the mail, credit card receipts with your account number, outdated financial papers and papers containing your clients' personal information.

### TRAVEL LIGHT WHEN MEETING CLIENTS

- If you carry a purse, lock it in your car trunk before arriving at an appointment.
- All REALTORS® should carry only non-valuable business items (except for your cell phone), and do not wear expensive jewelry or appear to be carrying large sums of money.
- Take two seconds to pause and look around as you enter your destination.
- Does anything seem out of place?
- Is anyone present who shouldn't be there or who isn't expected?



## Education and Professional Development

### THE CHANGING MORTGAGE INDUSTRY – LENDER'S PANEL

**Fri., Sept. 5 • 10am–12pm**

**Free to SCAOR mem-  
bers \$25 non-members**

Join us for a discussion on the every changing mortgage industry. Have all your questions answered and concerns addressed by a panel of top local mortgage professionals. The changes in the mortgage industry affect all aspects of your business. Staying on top of these changes will help position you as a trusted advisor in real estate. By attending you will gain insight and knowledge into the current market that will put you ahead of the rest! Topics of discussion will include the state of lending; hot points of FHA; new legislation, and more!

\*\*A credit card is required to reserve a seat but will not be charged unless you do not attend this class and fail to notify SCAOR in writing at least 24hrs prior to class a fee of \$15 will then be charged to your credit card.

### THE "NUTS & BOLTS" OF INVESTMENT REAL ESTATE

*Instructor: Charlie Krackeler*

**Mon., Sept. 8 • 9am–1pm**

**Cost: \$45**

*Includes four (4) DRE CEU  
in Consumer Protection*

At this seminar you will learn the historical perspective and key terms; Cash flow and basic income formulas; Basic tax aspects of investment real estate; Valuation methods for investment real estate; Basic real estate economics; An understanding of the Annual Operations Data (APOD); A clear understanding of Gross Rent Multipliers (GRMs); A clear understanding of Capitalization Rates

(Cap Rates); Pre-Tax Cash Flow vs. After-Tax Cash Flow; and so much more!

### GREEN BAG LUNCH SEMINAR: SELLING HOMES WITH RADIANT FLOOR HEATING

**Wednesday, September  
10th 12:00pm–1:30pm**

**Cost: \$10 SCAOR Members \$25 at  
the door & non-members anytime**

Learn the SELLING points that every real estate professional should about homes with radiant floor heating.

### FISCAL FITNESS: HOW TO PREVENT MTD'S: MORTGAGE TRANSMITTED DISEASES

*Instructor: Debra Schottgen*

**Fri., Sept. 12 • 10am–12pm**

**Cost: \$10 SCAOR Members \$25 at  
the door & non-members anytime**

*This seminar is designed for both the real estate professional and their clients.*

By attending, agents will learn how they can help their clients avoid contracting a serious MTD. Proper mortgage planning can help you and your client make informed decisions that fit your goals. Whether you're ready to jump into the housing market now or later, Fiscal Fitness will help get your client on their way. Here's to Fiscal Fitness and Homeownership Health!!!

### UPSHIFTING YOUR LEAD GENERATION

*Module Two of the "Shift Happens" series*

*Instructor: Linda Forester*

**Mon., Sept. 15 • 10am–12pm**

**\$15 SCAOR Members, \$35 at the  
door & non-members anytime**

In a market where there are many buyers and sellers transacting business, you know what to do and say, and leads are plentiful and come to you without much effort, you can be very successful simply receiving leads. You can even pick and choose whom you work with. NOT SO TODAY! The market has shifted and there are less total transactions. Buyers and sellers are responding differently. Leads aren't pouring in like they used to. If you are not actively generating leads, you are seeing a real slowdown in your business. Interestingly, veteran agents lead generate the same way through all kinds of markets-buyer's, seller's, neutral-and, not only survive but thrive and grow their businesses. They know the truth-that lead generation is the engine to their real estate career. It is the habit they embrace and focus on each and every day, no matter what market they're in. Lead Generation truly IS your business-without leads, you have no sales, no closings and no income. There is simply no other activity you can focus on that will do more to build your business.

### NATURAL HAZARD DISCLOSURES IN REAL PROPERTY TRANSACTIONS

*Instructor: Attorney  
Mailana Mavromatis*

**Fri., Sept. 19 • 11:30am–1pm**

**FREE to SCAOR Members**

**\$25 Non-members anytime**

**Course approved for 2 DRE  
CEU credits. Includes lunch**

You will learn about the origins of the Disclosure Report; Civil Code sections

that provide the legal backdrop of the report; Disclosures in the report and they can affect the transaction; Legal cases; Environmental report, and other reports; New Legislative and New disclosures, and more!

\*\*A credit card is required to reserve a seat but will not be charged unless you do not attend this class and fail to notify SCAOR in writing at least 24hrs prior to class a fee of \$15 will then be charged to your credit card.

### MLS ESSENTIALS HANDS-ON TRAINING

*Instructor: MLSListings, Inc.*

**Wed., Sept. 24 • 9:30am–11:30am**

**Seating is limited**

**Pre-registration is a must!**

*Laptops will be available onsite*

**FREE**

### MLS ADVANCED CMA

*Instructor: MLSListings, Inc.*

**Wed., Sept. 24 • 1:30–3:00am**

**Seating is limited**

**Pre-registration is a must!**

*Laptops will be available onsite*

**FREE**

Learn how to conduct powerful CMA searches; View how to compare a Quick Search CMA and Advanced CMA; Print and email CMA reports; Customize Advanced CMA.

### SELLER PRICING STRATEGIES: PRICING YOUR LISTINGS TO SELL

*Module 3 of the*

## Education Cont'd.

*"Shift Happens" series*

*Instructor: Linda Forester*

**Fri., Sept. 26 • 10:00am-12:00pm**

**Cost: \$15 SCAOR Members**

**\$35 at the door & non-members anytime**

When the market shifts toward a buyer's market, the listings sit! Don't let that happen to your sellers. While there are three factors to getting a listing sold-location, price and condition-only two are under your control: price and condition and ultimately only one truly matters: PRICE. As an agent, your responsibility is to get your listings sold for the most money in the shortest period of time with the least amount of hassle. Remember, the longer a house is on the market, the less value it has!

### QUADRENNIAL REALTOR® ETHICS

*Instructor: Bruce Southstone*

**Tues., Sept 30 • 1:00-4:30pm**

**Cost: \$15 SCAOR Members**

**\$25 at the door,  
\$35 Non-members anytime**

By attending this course you will learn the concepts of the Preamble of the Code of Ethics; Due Process and Code enforcement; Difference between Ethics and Arbitration complaints; Professional Standards enforcement and resolution process; Code of Ethics case studies, and more. This course meets the National Association of REALTORS® Quadrennial Code of Ethics training requirements.

### COMING UP IN OCTOBER

October 1: **Real Estate License Renewal for Salesperson & Broker**

October 8, 1:00pm-4:30pm:  
**REO Sales! A Gold Mine or Only the Shaft?**

## Santa Cruz County Market Statistics

Single Family Residences					
	CURRENT INVENTORY	NEW	SOLD	AVERAGE	MEDIAN
MAY	1,252	321	124	\$731,311	\$625,000
JUNE	1,275	327	153	\$684,996	\$610,000
JULY	1,311	328	153	\$655,659	\$612,000
Condos/Townhouses					
	CURRENT INVENTORY	NEW	SOLD	AVERAGE	MEDIAN
MAY	284	62	27	\$450,638	\$430,000
JUNE	290	77	34	\$429,446	\$381,950
JULY	286	71	31	\$436,154	\$406,000

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

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# First Annual Sip of Summer a Success!

An amazing time was had by all the attendees at the first ever SCAOR Housing Foundation "Sip of Summer" event on Tuesday, August 19th. The party was highlighted by the fabulous creek-side courtyard of **Bargetto Winery** and the tunes provided by **Jim Rosenberg** (husband of Janet **Rosenberg**, Intero).

Several local caterers, and restaurants provided light appetizers and the wine of course, was Bargetto's best.

This event was organized by Foundation volunteer, **Genie Lawless** (Century 21 Award), and was a huge networking opportunity for many of the community's attendees.

A huge thank you goes out to all of those dedicated volunteers who worked to make sure the advance ticket sales, and word of the event was out in the public eye. (See page 11 for full list of Donors and Volunteers.)

Thankfully, we raised well over \$2,000.00 toward the dream of home ownership.



*Jeanne Mulbern (in red), Wendy Taylor and Tina Andreatta are joined by another guest (on left.)*



*It doesn't get much better than this! Enjoying the wine and afternoon sun on the balcony at Bargetto Winery.*



*Vicki Garside, Elaine Della-Santina and Karen Schenk.*



*Janeé and Joe Del Colletti with Norma Milete.*



*"Our glasses are half-full!"*



*Maddie Tyler and her mother, Betsy Tyler, with José Mendoza.*



*A tableful of fun on the beautiful Bargetto porch.*



*"Our glasses were half-full... what happened?!"*



*Enjoying some sips... one guest opps for a sip of H2O!*



*Teresa Barnes and another guest enjoy a break in the shade.*



*Paul Bailey (Bailey Properties), and Leslie Alvarez, ORTC.*

*A big "thank you" to our Donors & Volunteers!*

**DONORS:**

- Bargetto Winery (courtyard & wine)
- Michael's on Main (appetizers)
- Marini's at the Beach (dessert)
- Original Sin Desserts (dessert)
- Culinary Delights (fruit & cheese)
- Jim Rosenberg (music / entertainment)

**VOLUNTEERS:**

- Elaine Della-Santina (Main Street Realtors)
- Karen Schenk (Old Republic)
- Jeff McCormac (Wells Fargo Home Mortgage)
- Nick Torres (Bank of the West)
- Vicki Garside (Old Republic)
- Genie Lawless (Century 21 Award Real Estate)



*Jim Rosenberg jams with another guest.*

